¶ Magna Charta cum *ſtatutis, tum antiquis, tum* recentibus, maximopere, *animo tenēdis, nunc demum* ad vnum, tipis ædita, per Richardum Tottill.

(.·.)

Anno Domini 1587.

Cum Priuilegio ad imprimendum ſolum.

Chris: Ho: Little

M. E. LITTLE

Wm Little
Sold to
Robt. A. McCulloch
To
Robert McCulloch

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To the Reader.

THe former booke intituled Magna Charta, did conteine dyuers old ſtatuts, laws, and other things, although good, not verie neceſſarye to be had in one ſo portable a volume, and the ſame confuſelie and not orderly digeſted, and in many places (for want of perfect coppies(very faulty. This conteineth the moſt neceſſarye of thoſe olde Statutes, and diuers later and newe Statutes moſt conuenyent to bee had, perfect and ready, not onely by all Studentes of the law for their priuate ſtudies, readinges, mootes, bolts, caſes, and other exerciſes: but alſo by the practiſes of the ſame for their daily affaires & cauſes, which ſtatutes be thoſe that are conteined in the table next following: wherein the ſtatutes which this booke conteineth, are in ſuch order as they be placed in this book. The

¶.ij. other

other table doth conteine the titles in order of Alphabet,wherin the ſtatutes in this booke conteined,are collected, in the collection of ſtatutes compiled by Maiſter *Raſtall*: which titles, are ſet in this booke, ouer euery ſuch part of the ſaid ſtatutes,as are in that collection, and thereunto is added the number, at the which the ſame is to bee found in the collection. The wordes conteined betwene the two markes, which ſometimes ye ſhall finde in the booke, doe ſhew what is corrected or added to the ſtatutes more then was before imprinted, the corrections whereof, are to be warranted by diuers auncient coppies which haue bene carefully conferred for the ſame purpoſe.

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Forcible

Magna Charta edita

An. nono Henrici tertij.

EDward⁹ Dei gratia, Rex Angliȩ, Dn̄s Hibernȩ̄, & dux Aquitaniæ archiepiſcopis epiſcop', abbatibus, prioribus, com̄, baronib', Iuſtic', vic', p̄poſitis, miniſtr', & omnibus balliuis &. fidelibus ſuis ſalutē. Inſpeximus magnam Chartam dn̄i H. quōdam regis Angliȩ patris nr̄i de libertatibus Angliæ in hæc verba.

¶Henticus dei gratia Rex Angliæ Dominus Hibern̄, dux Norman̄ & Aquitaniæ, & Comes Andeg. Archiep̄is, epiſcopis, abbatibus, prioribus, comitibus, baronibus, vic', p̄poſitis, miniſtr', & omnibus balliuis, & fidelibus ſuis p̄ntem Chartam inſpecturis ſalutem. Sciatis quod nos intuitu dei, & ꝓ ſalute animȩ nr̄ȩ, & animarum anteceſſorum, & ſucceſſorum noſtrorum, ad exaltationem ſanctę eccleſiȩ, & emendationem regni noſtri, ſpōtanea & bona voluntate noſtra, dedimus & conceſſimus Archiep̄is, ep̄is, abbatibus, prioribus, com̄, baronibus, & omnibus liberis de regno nr̄o has libertates ſubſcript̄, tenendas in regno noſtro Angl' in perpetuum.

 ¶Frãm.

¶*Fraunchiſes*. 1. *cap*. 1.

¶In primis conceſsimus deo, & hac preſenti Charta noſtra confirmauimus ꝓ nobis & hered' noſtris imperpetuum, qd' eccleſia Anglicana libera ſit, & habeat omnia iura ſua integra, & libertates ſuas illæſas. Cõceſsimus etiam & dedimus omnibus liberis hominibus regni noſtri, pro nobis & hæredibus noſtris, in perpetuum has libertates ſubſcript̃, tenẽd' & habend' eis & hered' ſuis de nobis & heredibus noſtrs in perpetuum.

¶*Reliefe*. 1. *cap*. 2.

¶Si quis com̃, vel baronum noſtrorum, ſiue aliorum tenentium de nobis in capit̃ per ſeruitium militar̃, mortuus fuerit, & cum deceſſerit, heres eius plene ætatis fuerit, & releuium nobis debeat, habeat hereditatem ſuam ꝑ antiquũ releuiũ, ſcz heres vel heredes comitis, de com̃ integro, per centum libras, heres vel heredes baronis de baronia integra, ꝑ cẽtũ marcas, heres vel heredes militis, de feod' milit̃ integro, per centum ſolidos ad plus. Et qui minus habuerit, minus det, ſecundum antiquam conſuetudinem feodorum.

¶*VVardes*. 1. *cap*. 3.

¶Si autem heres alicuius talium fuerit infr̃ ætatem, dominus eius non habeat cuſtodiam eius, nec terræ ſuæ, antequam homagium cœperit. Et poſtquã talis heres fuerit in cuſtodia, cũ ad ætatem peruenerit (ſcilicet xxj. annorũ) habeat hereditatem ſuam ſine releuio, & ſine fine, ita tamen quod ſi ipſe (dum infra ætatem fuerit) fiat miles, nihilominus ter̃ remaneat in cuſtodia

[illegible] (Du infra etatem fuerit) est entendu ou il est fait chivaler [illegible] estant en gard puis le mort launcester et nemy en le vie launcester. 2 E. 6. B.C. [illegible]

cuſtodia dominorum ſuorum, vſq; ad terminum prædictum.

VVaſt 1 cap. 4.

¶ Cuſtos terræ huiuſmodi heredis, qui infra etatem fuerit, non capiat de terra heredis, niſi rationabiles exitus, & rationabiles conſuetudines, & rationabilia ſeruitia, & hoc ſine diſtructione & vaſto hominum & rerum. Et ſi nos commiſerimus cuſtodiã alicuius talis terræ vic' vel alicui alij, qui de exitibus terræ illius nobis debeat reſpondere, & ille de cuſtodia illa, deſtructionem, vel vaſtum fecerit, nos ab eo capiemus emend' & terra committatur duob. leg. & diſcretis hominibus de feodo illo, qui de exit t̃ræ illius nobis r̃ndeant, vel illi cui nos ꝗillã aſsignauerimꝰ. Et ſi dederimꝰ, vel vẽdiderimꝰ cuſtodiã alicuiꝰ talis t̃re, & ille inde deſtructionem fecerit, vel vaſtũ, amittat illam cuſtodiam, et tradatur duobus ꝗdiſcret & ꝗ leg. hominibus de feodo illo, qui ſimiliter nobis reſpondeãt, ſicut prædictum eſt. ꝗ Vide Glo. cap. 5. w. 1. ca. 21.

VVaſt 2 cap. 5.

¶ Cuſtos autem quamdiu cuſtodiã terræ ꝗhuiuſmodi habuerit, ſuſtentet domos, parc' viuar̃, ſtagna, molẽdina &c. ad terrã illã ꝑtinentia, de exit terræ eiuſdẽ, et reddat heredi cũ ad plenã etatẽ peruenerit, terrã ſuã tot inſtauratã de carucis & omnibus alijs rebus, ad minus ſicut illam recepit. Hæc omnia obſeruent de cuſtodijs archiepiſcopatuum, ep̃atuũ, abbatiarum, prioratuũ, eccleſiarum, et dignitatum vacantium, quæ ad nos pertinent,

except quod cuſtod' huiuſmodi vendi non debent.

¶VVarde, 2. cap.6.

¶Heredes autem maritentur abſque diſparagatione.

VVomen 1. cap.7.

¶Vidua poſt mortem mariti ſui ſtatim & ſine difficultate aliqua, habeat maritagiũ ſuũ & hereditatem ſuam:nec aliquid det ꝓ dote ſua,nec pro maritagio ſuo, vel pro hereditate ſua habenda,quam hereditatem maritus ſuus & ipſa tenuerunt ſimul,die obitus ipſius mariti ſui,& maneat in capitali meſuagio mariti ſui,p quadraginta dies poſt obitũ mariti ſui,infra quos dies aſsignetur ei dos ſua, niſi prius ei aſsignata fuerit,vel niſi domus illa ſit caſtrum,& ſi de caſtro receſſerit, ſtatim dom̃ ei competens prouideatur,in qua poſsit honeſte morari,quouſque dos ſua ei aſsignetur, ſecũdũ quod p̃dictũ eſt,& habeat rationabile eſtoueriũ ſuum interim de cõi. Aſsignetur autẽ ei ꝓ dote ſua, tertia pars toti⁹ terr̃ mariti ſui,quæ fuit ſua in vita ſua,niſi de minori fuerit dotata ad oſtiũ eccleſiæ. Nulla vidua diſtringatur ad ſe maritand' § dummodo voluerit viuere ſine marito § Ita tamen quod ſecuritatem faciat,ꝙ ſe non maritabit ſine aſſenſu noſtro,ſi de nobis tenuerit,vel ſine aſſẽſu domini ſui,ſi de alio tenuerit § Prærogatiua Regis. cap.4.

Det to the Kinge 1. cap.8.

¶Nos vero vel balliui noſtri, non ſeiſiemus terram aliquam, vel redditum ꝓ debito

aliquo

aliquo, ꝙ diu cattalla debitoris pſentia, ſufficiunt ad debitum reddend', & ipſe debit̃ paratus ſit inde ſatisfacere. Nec pleg. ipſius debitoris diſtringantur, quã diu ipſe capitalis debitor ſufficiat ad ſolucionem ipſius debiti. Et ſi capitalis debitor defecerit in ſolucione debiti, non habens vnde ſoluat, aut reddere noluerit cum poſsit, plegij de debito rñdeãt, & ſi voluerint, habeant terras & reddit̃ debitoris, quouſque ſit eis ſatisfact' de debit̃, ꝙ antea pro eo ſoluerint, niſi capitalis debitor monſtrauerit ſe eſſe quietum verſus eoſdem plegios.

¶*Frauncheiſes 2. Chap. 9.*

¶Ciuitas Londoñ habeat omnes libertates ſuas antiquas & conſuetudines ſuas. Preterea volumus & concedimus, quod omnes aliæ ciuitates, burg. & villæ et barões đ quinque portubus, & omnes alij portus, habeant omnes libertates, & liberas conſuetudines ſuas. Articul' ſuper chartas. ca. 7.

¶*Tenure 1. cap 10.*

¶Nullus diſtringatur ad faciendũm maius ſeruicium de feodo militis, nec de alio libero tenemento, quam inde debetur.

¶*Common pleas 1. cap. 11.*

¶Communia placita non ſequãtur curiam noſtram, ſed teneantur in aliquo loco certo.

§ Articul' ſuper chart̃. cap. 4.

Aſſiſe 1. cap. 12.

¶Recognitiones de noua diſſeiſina, & de morte anteceſſoris, non capiantur niſi in ſuis com̃, & hoc modo. Nos vero ſi extra regnũ

fuerimus, capital' Iuſtic' noſtri mittent Iuſticiar̄ noſtros per vnumquēq; comitatum ſemel in anno, qui cū militibus eorund' com̄, capiant in comit̄ illis aſsiſ. præd. Et ea quæ in aduentu ſuo in illo comitatu per Iuſtic' noſtr̄ præd' ad dictas aſsiſas capiend' miſſas, terminari non poſſunt, per eoſdē terminent̄ alibi in itenere ſuo. Et ea q̄ per eoſdem ꝓpt̄ difficultatem aliquorum articulorum terminari non poſſunt, referant̄ ad Iuſticiar̄ noſtros de banço, et ibi terminentur.

Darrein preſentment 1. *Cap.* 13.

¶ Aſsiſe de vltima præſentatione, ſemper capiantur coram Iuſticiariis de bāco, & ibi terminentur.

¶ *Amerciament* 1 *cap.* 14.

¶ Liber homo non amercietur pro paruo delicto, niſi ſecundum modum illius delicti, & pro magno delicto ſecundū magnitudinē delicti, ſaluo ſibi contenemento ſuo: & mercator eodem modo ſalua merchandiſa ſua, & villanus alterius quam noſter, eodem modo amerciet̄, ſaluo wainagio ſuo, ſi inciderit in miſerecordiam noſtram. Et nulla p̄dictarum miſerecordiarum ponatur, niſi ꝑ ſacramētū proborū & legalium hominū de vicinet̄. Comites & Barones, non amercientur niſi ꝑ pares ſuos, & non niſi ſecūdū modum delicti. Nulla eccleſiaſtica perſona amercietur ſecūdum quantitatem beneficij ſui eccleſiaſtci, ſed ſecundum laicū tenꝫ ſuum, & ſecundum quantitatem delicti.

Bankes

¶*Bankes.* 1. *cap.* 15.

¶Nulla villa, nec liber homo diſtringať facere pontes, aut riparias, niſi qui ab antiquo & de iure facere conſueuerunt tempore Henrici regis aui noſtri §al de iure facere debent.

¶*Bankes.* 2. *cap.* 16.

¶Nullæ ripariæ defendantur de cetero, niſi illæ quæ fuerunt in defenſo tempore Henrici Regis aui noſtri §& §per eadem loca, & eoſdem terminos, ſicut eſſe conſueuerunt tempore ſuo.

Plees of the Crovvne. 1. *cap.* 17.

¶Nullus vic', conſtabularius, coronator, vel alij balliui noſtri, teneant placita coronæ noſtræ.

¶*Debt to the king.* 2. *cap.* 18.

¶Si quis tenens de nobis laicum feodum moriatur, & vic', vel balliuus noſter oſtendat literas noſtras patẽtes de §ſommonitione noſtra§ de debito, ꝙ defũctus nobis debuit, liceat vic', vel balliuo nr̃o attachiare, & imbreuiare omnia bona & catalla defuncti inuẽta in laico feodo ad valenciã ipſius debiti, per viſum & teſtimonium legal hominum, ita tñ ꝙ nihil inde amoueatur, donec perſoluať nobis debiť, ꝙ clarum fuerit, & reſiduum relinquatur executoribus ad faciendum teſtamẽtũ defuncti. Et ſi nihil nobis debeatur ab ipſo, omnia catalla cedant defuncto, ſaluis vxori eius, & §liberis§ pueris ſuis, rationabilibus partibus ſuis.

Caſtels. 1. *cap.* 19.

¶Nullus conſtabularius, vel eius balliuus

capiat blada, vel alia catalla alicuius q̄ non ſit de villa vbi caſtrum ſuum ſitum eſt, niſi ſtatim reddat denarios, aut reſpectum inde habere poſsit de voluntate venditoris. Si autem de villa illa fuer̄ infra quadraginta dies precium redd' §VV.1.ca.7.& 31.

¶*Caſtels*.2. *cap*.20.

¶Nullus conſtabularibus diſtringat aliquē militem, ad dandum denarios ꝓ cuſtodia caſtri, ſi ipſe eam facere voluerit, in propria perſona ſua, vel per alium probum hominem faciat, ſi ipſe eam facere non poſsit, propter rationabilem cauſam. Et ſi nos abducerimus, vel miſerimus eum in exercitū, ſit quietus de cuſtodia caſtri ſecundum quantitatem temporis quo per nos fuerit in exercitu, de feod' ꝓ quo fecit ſeruicium in exercitu.

¶*Purueyours*.1. *cap*.21.

¶Nullus vicecomes vel ballius nr̄, vel aliquis alius, capiat equos, vel carectas alicuius ꝓ cariagio faciēdo, niſi reddat liberationem antiquit̄ ſtatut̄, ſcilicet pro vna carecta ad duos equos decem denarios per diem, & pro carecta ad tres equos quatuordecim denarios per diem. Nulla carecta dominica alicuius perſonę eccleſiaſticę, vel militis, vel alicuius domini per balliuos noſtros capiatur, nec nos, nec balliui noſtri, nec alij, capiemus boſcum alienum ad caſtra, vel ad alia agenda noſtra, niſi per voluntatem illius, cuius boſcus ille fuerit.

¶*Forfeiture*.1. *cap*.22.

¶Nos non tenebimus terras illorum, qui con-

cõuicti fuerint de felonia, niſi per vnũ annum & vnũ diem: & tunc reddantur terr̃ ille dñis feodorum. §Prerog.regis ca.vlt̃.

¶*VVeres*.1. *cap*.23.

¶Omnes Kidelli deponantur de ceter̃ penitus p Thameſiam, & Medewein, & p totã Angl̃,niſi per coſteram maris.

¶*Right*.1. *cap*.24.

¶Breue quod vocatur Precip̃ in capit̃, de cetero nõ fiat alicui de aliquo libero tenemẽto,vnde liber homo perdat curiam ſuam.

¶*VVeights*.1. *cap*.25.

¶Vna menſura vini ſit per totum regñ noſtrum,& vna menſura ſeruiciæ, & vna menſura bladi, ſcilicet quarterium Lond', & vna latitudo pannorum tinctorum,ruſſatorum,et haubergettarum, ſcilicet due vlne infra liſtas. De ponderibus vero ſit ſicut de menſuris.

¶*Fine to the king*.1. *cap*.26.

¶Nihil de cetero detur, ꝓ breui inquiſitionis, ab eo qui inquiſitionem petit de vita, vel de membris,ſed gratis concedat̃, & nõ negetur. §VV.2.ca.29.

¶*VVardes*.3. *cap*.27.

¶Si aliqui teneant de nobis per feod' firmã vel per ſoccagium, vel burgagium,& de alio teneant terram per ſeruitium militare, nos nõ habebimus cuſtodiã heredis,nec terre ſue, que eſt de feodo alterius, occaſione illius feodi firme, vel ſocagij, vel burgagij. Nec habebimus cuſtodiam illius feod' firme, vel ſocagij, vel burgagij,niſi ipſa feodi firma nobis debeat ſeruicium militare. Nos non habebimus

cuſtodiam

cuſtodiam hered., vel alicuius terr̄ quam tenet de aliquo alio ꝑ ſeruitium milit̄, occaſione alicuius paruæ ſeriantiæ, quam tenet de nobis ꝑ ſeruitium, reddend' nobis cultellos, ſagittas, vel huiuſmodi.

¶*VVager of lavv.* 1. *cap.* 28.

¶Nullus balliuus de cetero ponat aliquem ad legem manifeſtam, nec ad iuramēt ſimplici loquela ſua, ſine teſtibus fidelibus ad hoc inductis.

¶*Accuſation.* 1. *cap.* 29.

¶Nullus liber homo capiat̄, vel impriſonetur, aut diſſeiſietur de libero tenemento ſuo, vel libertatibus, vel liberis cōſuetudinibus ſuis, aut vtlagetur, aut exuletur, aut aliquo modo deſtruat̄, nec ſup eum ibimus, nec ſup eum mittemus, niſi per legale iudicium parium ſuorum, vel per legem terræ. Nulli vendemus, nulli negabimus, aut differemus iuſtitiam vel rectum.

¶*Merchants.* 1. *cap.* 30.

¶Omnes mercatores, niſi publice antea ꝓhibiti fuerint, habeant ſaluum & ſecurū conductum, exire de Anglia, & venir̄ in Angliā, & morari, & ire per Angliam, tam per terram quam per aquam, ad emendum vel vendendum, ſine omnibus malis tolnetis ꝑ antiquas & rectas conſuetudines, preterquam in tempore guerre. Et ſi ſint de terra contra nos guerrina, & tales inueniantur in terra noſtra in principio guerre attachientur ſine dampno corporum ſuorum vel rerum, donec ſciatur a nobis, vel a capitali Iuſticiario noſtro, quo-

quomodo mercatores terræ noſtræ tractantur, qui tunc inueniantur in terra illa contra nos guerrina. Et ſi noſtri ſalui ſint ibi, alij ſalui ſint in terra noſtra.

¶*Tenure* 2. *cap* 31.

¶Si quis tenuerit de aliqua eſcaeta, ſicut de honore wallingford, Noting. Boloiñ, §Lanc' § et de alijs eſcaetis quæ ſunt in manu noſtra, & ſint baroniæ, et obierit heres eius, non det aliud releuium, nec faciet nobis aliud ſeruicium, q̄ faceret Baroni, ſi § illa § baronia eſſet in manu Baronis, et nos codẽ modo eã tenebimus, quo baro eã tenuit. Nec nos occaſione talis baroniȩ vel eſcaetæ habebim⁹ aliquam eſcaetam, vel cuſtodiam aliquorum noſtrorum hominum, niſi de nobis alibi tenuerit in capite ille qui tenuit § de § baronia, vel eſcaeta illa.

Tenure 3. *Cap*. 32.

¶Nullus liber homo det de cætero amplius alicui, vel vendat § alicui § de terra ſua, q̄ vt de reſiduo terræ ſuȩ poſſit ſufficient̃ fieri domino feodi ſeruicium ei debitum, quod p̃tinet ad feodum illud.

¶*Vacations &c*. 1. *cap*. 33.

¶Omnes patroni abbatiarum, qui habent chartas Regũ Angl̃ de aduocatione, vel antiquam tenurã vel poſſeſsioñ, hẽant earũ cuſtodiã cum § vacauerint § ſicut habere debent, ſicut ſuperius declaratum eſt. § cap. 5.

¶*Appeales*. 1 *cap*. 34.

¶Nullus capiet̃ aut impriſonet̃ propt̃ appellũ feminæ de morte alterius q̄ viri ſui.

County

the stat' in effect tolle stat 18. E. 1. De quia empt' terr', wch p'uides q' sont, ad liceat unicuiq' libero homini terr' suas seu tenementa, seu p'te inde ad voluntatem vendere, ita q' feoffatus teneat de capit' d'no. Inst: 143, 6.

Inst: 115: a: statut not tolle particular custome, [illegible] (contra q̄ fort negatiue) ē fuit in affirmants [illegible] com ley.

¶*County & Turne.* 1. *cap*35.

¶Nullus comitatus de cetero teneatur niſi de menſe in menſem, & vbi maior termin9 eſſe ſolebat, maior ſit. § Vide 2. E.6 cap.25 Nec aliquis vicecomes vel balliuus ſuus faciat turnum ſuum per hundredum, niſi bis in anno, et non niſi in loco debito & conſueto, videl', ſemel poſt Paſca, & iterum poſt feſtum S. Michaelis, et viſus francipleg. tunc fiat ad illum terminum Sancti Michaelis ſine occaſione. Ita ſcilicet quod quilibet habeat libertates ſuas quas habuit vel habere conſueuit tēpore Regis Henrici aui noſtri, vel quas poſtea perqueſiuit. Fiat autem viſus de frākpleg. ſic: Videlicet quod pax noſtra teneat̄ & qd' Trithinga teneat̄ integra ſicut eſſe conſueuit, & qd' vicecomes non querat occaſiones, & contentus ſit de eo, quod vic' habere cōſueuit de viſu ſuo faciendo, tempore H. reg. aui noſtri. Vide Marlb. cap. 10.

¶*Mortmaine* 1. *cap*.36.

¶Nec liceat de cetero alicui, dare terram ſuam alicui domui religioſæ, ita quod illam reſumat de eadem domo tenend'. Nec liceat alicui domui religioſæ terrā alicuius ſic accipere, ꝙ tradat illam illi a quo eam accepit tenend'. Si quis autē de cetero terrā ſuam alicui domui religioſæ ſic dederit, & ſuꝑ hoc cōuincatur, donū ſuum penitus caſſetur, & t̄ra illa domino illius feodi incurratur. § Vide ſtatutū de Religioſis. anñ 3. E. 1.

¶*Eſcuage* 1. *cap*.37.

¶Scutagium de cetero capiatur ſicut capi con-

conſueuit tempore H. regis aui noſtri.

¶Franchiſis 3. cap. 38.

¶Et ſaluæ ſint Archiepiſcopis, Epiſcopis, Abbatibus, Prioribus, Templarijs, Hoſpitularijs, Comitibus, Baronibus, & omnib⁹ alijs tã eccleſiaſticis perſonis, quam ſecularibus, omnes lebertates & liberæ conſuetudines, quas prius habuerunt. Omnes autẽ iſtas conſuetudines & libertates prædictas quas conceſſimus in regno nr̃o tenend' (quantum ad nos ꝑtinent) erga nos & heredes noſtros obſeruemus, & omnes de regno noſtro, tam clerici ꝗ laici obſeruent (quantũ ad ſe pertinent) erga ſuos, Pro hac autem donatione & conceſsione libertatũ iſtarũ et aliarũ libertatũ contentarum in Charta noſtra de libertatibus Foreſtæ, Archiepiſcopi, Epiſcopi, Abbates, Priores, Comites, Barones, Milites, liberi Tenẽtes, & omnes de regno noſtro dederunt nobis quintodecimam partem omniũ mobiliũ ſuorum. § Vide ſtatũ 7. annñ 25. E. 3. § Conceſsimus etiã eiſdẽ ꝑ nobis & heredib⁹ nr̃is, ꝙ nec nos nec heredes noſtri, aliquid perquiremus, per quod libertates in hac Charta contentæ infringantur vel infirmentur. Et ſi ab aliquo contra hoc aliquid perqueſitũ fuerit, nihil valeat, & pro nullo habeatur. His teſtibus Bonefacio Cantuarieñ Archiepiſcopo. E. Londonenſi Epiſcopo, et alijs. Datum apud weſtmiñ decimo die Februarij, Anno regni noſtrĩ nono.

¶Nos autem donationes et conceſsiones prædictas ratas habentes, & gratas, eas pro

nobis

nobis & heredibus noſtris, concedimus & cõfirmamus, eaſq; tenore præſentiũ innouam⁹ volentes & concedentes pro nobis et heredibus noſtris, quod Charta noſtra prædicta in omnibus & ſingulis ſuis articulis in perpetuum firmiter et inuiolabiliter obſeruetur, etiamſi aliqui articuli in eadem Charta contenti, hucuſq; forſitan non fuerint obſeruati, de cætero obſeruentur. His teſtibus venerabilibus patribus R. Cantuarieñ Archiepiſcopo totius Angliæ primate. A. Dunelm̃ Epiſcopo &c. Datum per manum noſtram apud weſtmonaſterium xxviij. die Martij. Anno Regni noſtri viceſimo octauo. § Vide Marleb. cap. 5. §

¶ Charta de Foreſta edita. Anno ix. Henrici iij

EDwardus Dei Gratia, rex Angliæ, dominus Hiberñ, & dux Aquitañ, archiepiſcopis, epiſcopis, abbatibus, priorib⁹, com̃, baroñ, iuſtic̃ § foreſtarijs § vic' p̃poſit̃, miniſtris, & omnib⁹ balliuis, & fidelibus ſuis: Saluté. Inſpeximus Chartã dñi H. quõdã reg. angliæ patris noſtri, de foreſta in hæc verba: H. Dei Gratia &c. vt ſup̃a in principio magnæ Chartæ

¶ Foreſt.

¶*Foreſt.* 1. *cap*, 1.

¶In primis omnes Foreſtæ, quas H. auus noſter afforeſtauit, videanẽ per bonos & leg. iomines. Et ſi boſcum aliquem aliũ quam ſu- im dñicum afforeſtauerit, ad dampnum illius uius boſcus ille fuerit, ſtatim deafforeſteẽ. Et i boſcum ſuum proprium afforeſtauerit, re- naneat foreſta, ſalua coĩa de herbagio, & alijs n eadem foreſta, illis qui prius eam habere onſueuerunt.

¶Homines vero qui manent extra foreſtã, ion veniant de cetero coram iuſtic' noſtris de oreſta per cões ſummonitiones, niſi ſint im- lacitaẽ, vel plegij alicuius vel aliquorũ, q at- ichiati ſunt ꝓpter foreſtam.

¶Omnes autem boſci q fuerunt afforeſta- per regem Ricm̃ auunculum nr̃m, vel ꝑ Re- em Iohannem patrem noſtr̃ vſque ad primã ronationem noſtr̃, ſtatim deafforeſtenẽ, niſi t dñcus boſcus noſter.

Archiepiſcopi, epiſcopi, abbates, priores, mites, barones, milites, & liberi tenentes, ui habẽt boſcos ſuos in foreſtis, habeant boſ- ɔs ſuos, ſicut eos habuerunt tempore primæ ronationis Regis Henrici aui noſtri, ita uod quieti ſint in perpetuum, de omnibus urpreſturis, vaſtis, & aſſertis, factis in illis oſcis poſt illud tempus vſque ad principium cundi anni coronationis noſtræ. Et qui de tero vaſtum, purpreſturam, vel aſſartum, ine licentia noſtra) in illis fecerint, de ıſtis, purpreſturis & aſſartis nobis reſpon- ant.

5 Regar-

5 ¶Regardatores noſtri, eant per foreſtam ad faciendum regardum, ſicut fieri conſueuit tempore prime coronationis regis H. aui nr̄i & non aliter.

6 ¶Inquiſitio vel viſus de expeditatione canum exiſtentium in foreſta noſtra, de cetero fiat quando fieri debet regardū, ſcilicet de iij. anō in tercium annum. Et tunc fiat ꝑ viſum & teſtimoniū leg. hoīm, & non aliter. Et ille cuius canis inuentus fuerit tunc non expeditatus det pro mīa tres ſolidos. Et de cetero nullus bos capiatur pro expeditatione canū. Talis autem expeditatio fiat per aſsiſam cōmuniter vſitatam, videlicet quod tres ortelli abſcindantur ſine pellota de pede anteriori. Nec expediten̄ canes de cetero, niſi in locis vbi conſueuerūt expeditari tempore primæ coronationis predicti regis H. aui noſtri.

7 ¶Nullus foreſtarius, vel al̄ balliuus de cete faciat ſcotalas, vel colligat herbas, vel auenam, vel bladum aliquod, vel agnos, vel porcellos, nec aliquam collectam faciat, niſi ꝑ viſum & ſacr̄m xij. regardatorum, quando faciunt regardum. Tot foreſtarij ponantur ad foreſtas cuſtodiendas quot ad illas cuſtodiendas rōnabilit̄ viderint ſufficere.

8 ¶Nullum Swanimotum de cetero teneat̄ in regno noſtro, niſi ter in anno, videlicet in principio xv. dierum ante feſtum ſancti Michaelis, quando agiſtatores noſtri conueniunt ad agiſtandum dominicos boſcos noſtros & circa feſtum Sancti Martini in Hieme quando agiſtatores nr̄i debent recipere pannagiū noſtrum

noſtrum. Et ad iſta dua ſwanimota conueniāt foreſtarij, viridarij, & agiſtatores & nulli alij per diſtrictionem. Et tertiū ſwanimotum teneatur in initio xv. dierum ante feſtū ſancti Iohannis Baptiſte, pro venatione beſtiarum noſtrarum. Et ad illud ſwanimotū tenend' conueniant foreſtarij, viridarij, & nō alij per diſtrictionem. Preterea ſingulis xl. diebus per totū annū conueniant foreſtarij, & viridarij, ad vidend' attachiamēta de foreſta, tam de veridi quam de venatione, per p̄ſentationem ipſorum foreſtariorum, & coram ipſis attachiet̄. Prædicta autem ſwanimota non teneantur, niſi in comitatu, in quibus teneri conſueuerunt.

9 ¶Vnuſquiſq; liber homo agiſtet boſcum ſuum in foreſta, pro voluntate ſua, & habeat pannagium ſuum. Concedimus etiam quod vnuſquiſq; liber homo ducere poſsit porcos ſuos per dn̄icū boſcū nr̄m, libere & ſine impedimento ad agiſtand' eos in boſcis ſuis ꝓprijs, vel alibi vbi voluerit. Et ſi porci alicuius liberi hominis vna nocte pernoctauerint in foreſta noſtra, non inde occaſionet̄ vnde aliquid de ſuo perdat.

10 ¶Nullus de cetero amittat vitam, vel mēbra ꝑ venatione nr̄a. Sed ſi quis captus fuerit & conuictus de captione venationis nr̄æ, grauit̄ redimat̄, ſi habeat vnde redimi poſsit. Si autem nō habeat vnde redimi poſsit, iaceat in priſona noſtra per vnum annum & vnū diem. Et ſi poſt vnum annum & vnū diē pleg. inuenire poſsit quod amplius de vena-

tione noſtra non foriſfaciet §exeat de priſona, ſin autem, abiuret regnum Angliæ.

11 ¶Quicunq; archiepiſcopus, epūs, com̄, vl baro, veniens ad nos ad mandat̄ noſtrum, tranſierit per foreſtam noſtram, liceat ei capere vnam beſtiam, vel duas, per viſum foreſtarij ſi preſens fuerit, ſin autem faciat cornare, ne videatur hoc furtiue facere. Hoc idem liceat eis redeundo facere, ſicut predict̄ eſt.

12 ¶Vnuſquiſque liber homo de cetero ſine occaſione faciat in boſco ſuo, vel in terra ſua ſiue in aqua quam hēt in foreſta nr̄a, molend' viuar̄, ſtagnū, marleram, foſſat̄, vel t̄rā arabilē, extra coopart̄ in terra arabili, ita quod nō ſit ad nocument̄ alicuius vicini.

13 ¶Vnuſquiſq; liber homo habeat in boſcis ſuis aereas accipitrum, eſperuar̄, falconum, aquilarum, & hieronum. Heāt ſimiliter mel, quod inuent̄ fuerit in boſcis ſuis.

14 ¶Nullus foreſtarius de cetero, qui nō ſit foreſtarius de feod', reddens nobis firmam ꝑ balliua ſua, capiat chimmagiū aliquod in balliua ſua. Foreſtarius autem de feodo, firmam nobis reddēs pro balliua ſua, capiat chimmagium, videlicet pro carecta per dimid' annum duos denarios, & per alium dimidium annū, duos denarios, & ꝑ equo qui portet ſummagium per dimid' annum obulum, & per aliū dimid' annum obulum, & nō niſi de illis qui extra balliuā ſuā, tanquam mercatores veniūt ꝑ licentiā ſuā, in balliuā ſuā, ad boſcum maremium, corticē, vel carbonē emend', & alibi

ducend'

ducend' ad vendendum vbi voluerit. Et de nulla alia carecta vel (equo portante) ſumagium, aliquod chimagium capiatur. Et non capiatur chimagium, niſi in locis in quibus antiquitus capi ſolebat & debuit. Illi auẽ qui portant ſuper dorſum ſuum boſcum, corticẽ vel carbonem ad vendend', q̃uis inde viuant, nullum de cetero dent chimagium foreſtarijs noſtris, preterquam in dominicis boſcis noſtris.

15 ¶ Omnes vtlagati pro foreſta (tantum) a tempore regis H. aui noſtri vſq; ad primam coronationem noſtram, veneãt ad pacẽ nr̃ã ſine impedimento, & ſaluos pleg. nobis inueniant, quod de cetero non foriſfacient nobis in foreſta noſtra.

16 ¶ Nullus conſtabularius, caſtellanus, vel balliuus teneat placita de foreſta, ſiue de viridi, ſiue de venatione (noſtra) ſed quilibet foreſtarius de feodo attachaet placita de foreſta tam de viridi quam de venatione, & ea præſentet viridarijs prouinciarum, & cũ irrotula fuerint, & ſub ſigillis viridariorum incluſa, preſententur capitalibus iuſticiar̃ noſtris de foreſta, cum in partes illas venerint ad tenend' placita de foreſta, & coram eis terminentur. Has autem libertates de foreſtis conceſsimus omnibus &c. Saluis archiepiſc' epiſcop̃, abbatib9, prioribus, com̃. baronibus militibus, & alijs perſonis tã' eccleſiaſticis ꝙ ſecularibus, templarijs, & hoſpitularijs, libertatibus, & liberis conſuetudinibus in foreſtis & extra, in warrẽis & alijs, quas pri9 habuer̃,

Omnes autē iſtas conſuetudines &c.vt in fine Magnæ Chartæ. Nos autem donationes &c.vt in fine eiuſdem Magnæ Chartæ &c.
§ Vide Marlb.cap.5.

¶Incipit Statutum de Mertō edit̄ anno xx.Heñ.iij.&c.

PRouiſum eſt in Curia domini Regis apud Merton, die Mercurij ,.in craſtino Sancti Vincentij , anno regni Regis Henrici filij Regis Iohannis viceſimo. coram VV. Cantuarienſi Archiepiſcopo, & coepiſcopis ſuffragan' ſuis & coram maiore parte Comitum et Baronū Angliæ ib idem exiſtentium,pro coronatione ipſius domini Regis & Helionoræ Reginæ, pro qua omnes vocati fuerunt, cum tractatū eſſet de communi vtilitate regni ſuper articulis ſubſcriptis,ita prouiſum fuit et conceſſum, tam a prædictis Archiepiſcopis, Epiſcopis, Comitibus, Baronibus,quam ab ipſo Rego, & alijs.

Dovver 1 *Cap.*1.

¶De Viduis primo,quæ poſt mortem virorum ſuorum expelluntur de dotibus ſuis, et dotes ſuas,vel quarentenam § ſuam § habere non poſſunt ſine placito,videlicet, quod quicunq; deforciauerit eis dotes ſuas, vel quarentenam ſuam , de tenementis quibus viri ſui obierunt ſeiſiti,et ipſæ viduæ poſtea p §placitum§recuparauerint,ſi ipſi§ deforc' de iniuſto

iniuſto deforciamento conuicti fuerint, reddant eiſdem viduis damna ſua,ſcilicet valorem totius dotis eis contingentis,a tempore mortis virorum ſuorum , vſque ad diem quo ipſæ viduæ per iudicium Curiæ ſeiſinā ſuam inde recuperauerint. Et nihilominus ipſi deforciatores ſint in miſerecordia domini Regis.

vvilles.1 Cap2.

¶Item omnes viduæ de cetero poſsint legar̄ blada ſua de terra ſua,tam de dotib⁹ ſuis quam de alijs terris & tenementis ſuis,ſaluis conſuetudinibus & § ſeruicijs dominorum de feodo, quæ de dotibus & alijs teneñ ſuis debentur.

Reddiſſeſin 1 Cap.3.

¶Item ſi quis fuerit dſſeiſ̄ de libero tenem̄ ſuo,& coram iuſtic' itenerantibus ſeiſinam ſuam recuperauit,ꝑ aſsinam nonæ diſſeiſinæ vel per recognitionem eorū qui fecerint diſſeiſinam:& ipſe diſſeiſitus per vic',ſeſinā ſuā habuerit ſi ijdem diſſeiſitores poſtea, poſt iter iuſtic' vel infra, de eodem teñ iterū eūdē conquerentem diſſeiſiuerint, et inde conuicti fuerint,ſtatim capiantur & in priſona domini regis detineantur, quouſq; per dominum regem per redemptionem,vel aliquo alio modo deliberentur. § Vide Marlb.capitulo 8.§ Et hæc eſt forma qualiter tales conuicti puniri debeant, videlicet cum conquerentes ad Curiam veniant,habeāt br̄e domini reg.vic' directum,in quo contineatur eorū narratio đ diſſeiſina facta ſuper diſſeſinam.Et ideo mā-

 de-

vic' q aſſūptis ſecum cuſtodibus placitorum coronæ domini reg.& alijs legalibus militib⁹ in ꝓpria pſona ſua accedat ad teñ illud, vel ad paſturam illā de quib⁹ facta fuerit q̄rela,& corā eis per primos iuratores, & p alios vicinos,& legales homines § de vicineto illo § diligētē inde faciat inquiſitionē. Et ſi ipſum iterum inuenerint diſſeiſitum (ſicut prædictum eſt)tunc faciat ſecundum prouiſionem prædictam,ſin autem,tunc ſit conquerens in miſerecordia domini regis,& alius quietus recedat.Nec debet vic' (ſine ſpeciali prȩcepto domini regis) huiuſmodi loquelam proſequi.Eodem modo fiat de illis, qui ſeiſinam recuperauerint p aſſiſam mortis ātecesſoris,& ſimiliter de omnibus terris & tenem̄ recuperatis p iurat̄ in curia domini regis, ſi poſtea diſſeiſiti fuerint a prioribus deforciatoribus, verſus quos recuperauerint per iurat̄ quoquomodo.§ Vide w.2.cap.26.

Approuements 1.*cap* 4.

¶Item quia multi magnates Angliæ, qui feoffauerunt milites & § alios ! libere tenētes ſuos de paruis tenementis in magnis manerijs ſuis ,queſti fuerunt,quod commodum ſuum facere non potuerunt de reſiduo maneriorum ſuorum,ſicut de vaſtis, boſcis, & paſturis‡communibus‡cum ipſi feoffati habeant ſufficientem paſturam,quantum pertinet ad tenem̄ ſua‡ita‡prouiſum eſt , & conceſſum,quad quicūque huiuſmodi feoffati aſſiſam nouæ diſſeiſinæ deferant de communia paſturæ ſuæ,& coram iuſticiar̄ recognit̄ fuerit quod

quod tantam paſturam habeant, quantũ ſufficet ad teñ ſua, & quod habeant liberum ingreſſum & egreſſum, de §liberis§ tenementis ſuis, vſq; ad paſturam ſuam: tunc inde ſint cõtenti, & illi de quibus conqueſti fuerint recedant quieti, de hoc quod cõmodum ſuum de terris, vaſtis, boſcis, & paſturis fecerint. Si autem dixerint, quod ſufficientem paſturam nõ habeant, vel ſufficientem ingreſſum, §vel§ egreſſum, quantum pertinet ad teñ ſua, tũc inquirat̃ veritas per aſsiſam. Et ſi per aſsiſam recognitum fuerit, quod per eoſdem deforciatores, in aliqua fuerit impeditus eorũ ingreſſus vel egreſſus, vel quod non habeant ſufficientem paſturam, & ſufficientem ingreſſum & egreſſum, ſicut prædictum eſt: tunc recuperent ſeiſinam ſuam, per viſum iuratorum, ita quod per diſcretionem & ſacramentum eorum habeãt conquerentes ſufficientem paſturam, & ſufficientem ingreſſum & egreſſũ in forma predicta. & diſſeiſitores ſint in mĩa domini regis, & dampna reddant, ſicut reddi ſolent ante prouiſionem iſtam. Si autem recognitum fuerit per aſsiſam, quod querentes ſufficientem habeant paſturam, cum libero & ſufficienti ingreſſu & egreſſu, ſicut pred' eſt: tunc licite §& libere§ faciant ‡dñi‡ commodũ ſuum de reſiduo, & recedant de illa aſsiſa quieti. ‡VV.2.ca:48.

¶*Vſucy. 1. cap. 5.*

¶Similiter prouiſum eſt, & a dño rege cõceſſum, quod de cetero non current vſure cõtra aliquem infra ætatem exiſten, a tempore

B.iiij. mortis

Comodite de enfants Inst: 246: b.

S. q3 le rent ne ser double durant le nonage [illegible]

Si le roy don terr a un auter rend rent payable a lui chescun an annualment et de default de payment q il double le rent a [illegible] default et puis le grantee mourust son heire deins age il ne doublera le rent [illegible] le roy; car coment le estatute est generall, uncore le roy est lie [illegible], de ceo q est fait de remedie del enfants et de public bon. 3 Eliz. 236. Dyer Co.

mortis anteceſſoris ſui,cuius heres ipſe eſt,vſque ad legittimam ætatem ſuam, ita tamen quod propter hoc non remaneat ſolutio debiti principalis ſimul cum vſuris ante mortē anteceſſoris ſui, cuius heres ipſe eſt inde prouenientibus.

¶*VVardes*.4. *cap*.6.

Un core si un enfant soit conuict de ravishment dauter gard, il ne serra imprison pur le roy ploy: 364

¶De hered' per parentes,vel per alios,contra pacem vi abductis, vel detentis, ſeu maritatis,ita prouiſum eſt, quod quicunque laicus inde conuictus fuerit, quod puerum aliquem ſic detenuerit,abduxerit, ſeu maritauerit, reddat perdenti valorem maritagij: & pro delicto corpus eius capiat̃, vt impriſonetur, donec perdenti emendauerit delictum ſi puer maritetur: & preterea donec domino regi ſatiſfecerit pro tranſgreſsione ſua. Et hoc de herede infra quatuordecim annos exiſteñ. De herede autem cum ſit quatuordecim annorũ, vel vltra,vſque ad plenam ætatem, ſi ſe maritauerit ſine licentia dñi ſui vt ei auferat maritagium ſuum,& dominus eius offerat ei rationabile maritagium, vbi non diſperagetur, dñs ſuus tunc teneat terram eius vltra terminum ætatis ſuæ, ſcilicet xxj.annorum, ꝑ tantum tēpus quod inde poſsit percipere duplicē valorem maritagij, ſecundum æſtimationem legalium hominum, vel ſecundum quod ei ꝑ eodem maritagio prius fuerit oblat̃ ſine fraude & malitia, & ſecundum quod probari poterit in curia domini regis.

¶*VVardes*.5. *cap*.7.

¶De dominis qui maritauerint illos quos habent

abent in cuſtod', villanis vel alijs, ſicut burenſ. vbi deſparagenť: ſi talis hæres fuerit infra xiiij. annos & talis ætatis quod conſentire non poſsit matrimonio: tunc ſi parentes cõquerantur de illo dño, dñs ille amittat cuſtodiam vſque ad ætatem hæredis: & omne cõmodum quod inde perceptum fuerit, cõuertať in commodum ipſius hæredis qui infra ætať eſt, ſecundum diſpoſitionem & prouiſionem parentũ ſuorum, propter dedecus ei factum. Si autẽ fuerit 14. annorũ & vltra, quod conſentire poterit, & tali maritagio conſenſerit, nulla ſequatur pœna. Si quis heres cuiuſcunq; fuerit ætatis pro dño ſuo ſe noluerit maritare, nõ cõpellať hoc facere, ſed cũ ad ætatẽ peruenerit, det dño ſuo & fatisfaciat ei de tanto quantũ inde ꝑcipere poſſet ab aliquo ꝓ maritagio ſuo antequam terram ſuam recipiat, & hoc ſiue ſe voluerit maritare, ſiue non: quia maritagium eius, qui infra ætatem eſt, de mero iure pertinet ad dominum feodi.

¶*Limitac*. 1. *cap*. 8.

¶De narratione diſcenſus in brĩ de recto ab anteceſſore a tempore H. regis ſenioris anno & die, prouiſum eſt, quod de cetero non fiat mentio de tã lõginquo tempore, ſed a tẽpore H. regis aui noſtri, & locum habeat iſta prouiſio ad Penthecoſten Anno regni dñi Regis nunc xxj. & non antea: & breuia prius impetrata procedant. Breuia mortis anteceſſoris, de Natiuis, & de ingreſſu, nõ excedãt vltimũ reddiť dñi regis Iohannis d' Hiberñ in Angliam, & locum habeat iſta prouiſio &c. vt ſup.

Breuia

Brevia noue diſſ. non excedant primã tránſf. dñi regis qui nunc eſt in Vaſcoñ, & locũ habeat iſta ꝓuiſio a tẽpore pred' & breuia prius impetrata procedant. §Vide VV.1.cap.38. & 32.H.8.cap.2.

¶*Baſtardie*.1. *cap*.9.

¶Ad bre regis de Baſtardia vtrũ aliquis natus ante matrimonium habere poterit hereditatẽ, ſicut ille qui natus eſt poſt matrimoniũ reſponderunt omnes epiſcopi, quod nolũt ne poſſunt ad iſtud breue reſpondere, quia ho eſſet contra communem formam eccleſiæ. E rogauerunt omnes epiſcopi magnates, vt cõſentirent, quod nati ante matrimonium eſſen legitĩ, ſicut illi qui nati ſunt poſt matrimoñ quantum ad ſucceſsionem hereditariam, qui eccleſia tales habet pro legittimis. Et omne comites & barones vna voce reſponderunt q nolunt leges Angliæ mutare, quę hucuſque v ſitatæ ſunt & approbatæ.

¶*Atturuey*.1. *cap*.10.

¶Prouiſum eſt inſuper.ꝙ quilibet liber ho mo, qui ſectam debet ad com̃, trithingum, hũdred', & wapent̃, vel ad curiam dñi ſui, liber poſsit facere attorñ ſuum, ad ſectas illas ꝓ e faciendas.

¶*Foreſts*.17. *cap*.11.

¶De malefactoribus in parcis & viuari nondum eſt diſcuſſum, quia magnates petie runt propriam priſonam de illis, quos ca perent in parcis & viuarijs ſuis. Quod qui dem dominus Rex contradixit, & ideo differ tur.

¶Di

¶Dies communes in banco edit' An.li.H.iij.

¶*Dayes in Banke.* 1. *cap.* 1.

SI Breue venerit in octabis Sancti Michaelis, tunc dabitur dies in octabis. S. Hillarij. Si in quindena ſancti Michaelis, in quindena ſancti Hillarij. Si in tribus ſeptimanis ſancti Michaelis, in craſtino Purificationis beatæ Mariæ. Si in menſe Sancti Michaelis, in octa. Purificat̄, beatę Mariæ. Si in craſtino animarum, in quindena Paſch. Si in craſtino Sancti Martini, in tribus ſeptim̄ Paſchę. Si in octabis ſancti Martini, in menſe Paſchæ: Si in quindena Sancti Martini, in v. ſeptimanis Paſch. Et eſt quidam dies ſpecialiter datus in craſtino Aſſenſionis domini, & tant̄u valet, quantum v. ſep t̄ Paſch. Si in octa. Hillarij, in octabis ſanctæ Trinitatis.. Si in quindena S. Hill̄, in quindena Sā̄ctæ Trinitatis, & aliquā̄do in craſtino ſanc' Iohān̄is Baptiſte. Si in craſt' Purificationis. B. Mar̄, in craſt', & in craſt'. Sancti I. Bapt̄. Si in octab. Purification̄ in xv. Sancti Iohannis Baptiſte. Si in quind' Paſchæ, in octa. Sancti Michaelis. Si in tribus ſeptimanis Paſchæ, in quindena Sancti Michaelis. Si in menſe Paſchę, in tribus ſeptimanis ſancti Michaelis. Si in v. ſeptimanis Paſchæ, vel in craſtino Aſſenſionis Domini, in menſe Sancti Michaelis. Si in octabis Sanctæ Trinitatis., in craſtino animarum. Si

Si in quindena Sāctæ Trinitatis,vel in craſti-
no Sancti Iohannis Baptiſte in craſtino ſanc-
ti Martini. Si in octab. Sancti I. Bapt̄,in octa,
ſancti Martini. Si in quindeñ Sancti Iohan-
nis Bap tiſte in quindena Sancti Martini. Et
ſic reſpondet quilibet terminus alij. § Vide
32.H.8.cap.21.

¶Dies communes in bāco in placito dotis edit. An.li,H.3

¶*Dayes in banke.* 2.

SI in octa. Sancti Michaelis breue vene
rit,dabitur dies in craſtino animarum,
Si in quindena Sancti Michaelis , da
bitur dies in craſtino Sancti Martin
Si in menſe Sancti Michaelis, in quin
dena Martini. Si craſtino animarum, in oc
tabis ſancti Hillarij. Si in craſtino Martini,i
quindena Hillarij. Si in octabis Martini, i
craſtino Purificationis. Si in quindena Ma
tini,in octa. Purificationis. Si in octa. Hillari
in xv. Paſchæ. Si in quindena Hill̄,in tribu
ſeptimanis Paſch. Si in craſtino Purific' in m
ſe Paſch. Si in octa. Purificat̄, in craſtino A
ſenſionis. Si in quindena Paſch. in octab
Trinitatis. Si in tribus ſeptim̄ Paſchę,in qui
deñ Trinitatis. Si in menſe Paſchæ,in craſt
Sancti Iohannis Baptiſtæ. Si in v. ſeptima
Paſchæ,in octabis Sancti Iohannis. Si in cra
tino Aſſenſionis dñi,in xv. Sancti Iohanni

Si in octabis Trinitatis,in octabis Sancti Michaelis. Si in quindena Sanctæ Trinitatis, in xv. Sancti Michaelis. Si in craſtino ſancti Iohannis Baptiſte,in iij.ſeptim̃ Sancti Michaelis. Si in octabis Sancti Iohannis Baptiſte ,in menſe Sancti Michaelis. Si in quindena Sancti Iohannis Baptiſte, in craſtino animarum. § Vide 32.H.8.cap.21.

¶Statutũ de Marlebridge edit' anno lij.H.iij.

ANNO Gratiæ M. CClxvij. Regni autem domini Henr̃ filij Regis Iohannis quinquageſimo ſecundo, in octabis S.Martini,ꝓuidente ipſo dño rege,ad regni ſui Angliæ meliorati-
ıem,& exhibitionem Iuſticiæ(prout regalis
ficij expoſcit vtilitas)pleniorem, conuocatis
ſcretioribus eiuſdem regni,tam maioribus
ıam minoribus,Prouiſũ eſt et ſtatuĩ, ac cõ-
rdatum et ordinatum,vt cum regnũ Angľ
ıltis tribulationibus & diſſenſionum in-
mmodis nuper § eſſet § depreſſum,refor-
ıtione legum & iurium (quibus pax et
nquilitas incolarũ conſeruetur) indigeat,
ꝙ remedium ſalubre per ipſum regem &
ɔs fideles oportuit adhiberi:prouiſiones,or-
ıationes & ſtatuta ſubſcripta, ab omnibus
ni ipſius incolis tam maioribus quam mi-
ribus ,firmiter & inuiolabiliter tẽporibus
perpe-

perpetuis ſtatuerit obſeruari.

¶*Diſtres 1.cap.* 1.

¶Cum autem tempore turbationis nu
per in regno Angliæ ſubortæ, & deinceps
multi magnates & alij iuſticiam indignat
fuerint recipere per dominum regem & cu
riam ſuam,prout debuerunt,& conſueuerũ
temporibus predeceſſorum ipſius domini re
gis & etiam tempore ſuo:ſed de vicinis ſui
& aliis ꝑ ſeipſos graues vltiones fecerint, &
diſtrictiones , quouſque redemptiones re
ceperent ad voluntatem ſuam. Et preterea
quidam eorum,ſe per miniſtros domini re
gis iuſticiarij non permittant ,nec ſuſtinear
quod per ipſos liberentur diſtrictiones, qua
aucthoritate propria fecerint ad voluntater
ſuam. Prouiſum eſt,concordatũ,& conceſſ
ꝙ tam maiores,quam minores, iuſticiam ha
beant & recipeant in curia domini regis. E
nullus de cetero vltiones,aut diſtrictiones fa
ciat ꝑ voluntatẽ ſuã,abſq; conſideratione cu
rię domini regis,ſi forte dampunm vel iniu
ria ſibi fiat,vnde emendas habere voluerit
§aliquo §vicino ſuo,ſiue maiore ſiue minor
Super articulo autem ſupradicto ꝓuiſum e
& conceſſum,ꝙ ſi quis de cetero vltiones hu
iuſmodi capiat ꝑ voluntatẽ ſuam § propriã
abſq; conſideratione cur̃ domini reg. (vt pr
dictũ eſt) & inde conuincatur,puniatur ꝑ re
demptionem,& hoc ſecũdũ quantitatẽ deli
Et ſimiliter ſi vicin⁹ ſuꝑ vicinũ ſuũ faciat di
trictionem,ſine cõſideratione cur̃ dñi regis,
ꝙ damnũ habeat, puniatur eodẽ modo,
he

oc ſecundum quantitatem delicti. Et nihilo-
ıinus fiant emende plene & ſufficienter eis,
ui dampna ſuſtinuerint per huiuſmodi di-
rictiones.

¶*Diſtres.2. cap.2.*

¶Nullus inſup maior vel minor diſtringat
iquem ad veniend' ad cur̃ ſuam, qui non ſit
: feodo ſuo, aut ſup ipſum non habeat iuriſ-
ctionem ꝑ hundred' §wapẽtag.§ vel balli-
ım, §quæ ſua ſit§ nec diſtrictiones faciat ex-
ı feodum ſuum, ſeu locum vbi balliuam ha-
at vel iuriſdictionem. Et qui cõtra hoc ſta-
tũ fecerit, puniat̃ eodẽ modo, & hoc ſecũdũ
licti quantitatem, & etiam qualitatem.

¶*Diſtres.3. cap.3.*

¶Si quis autem maior vel minor, ꝑmittere
luerit liberari per miniſtros domini Regis,
:undum legem & conſuetudinem regni, di-
ictiones quas fecerit: aut etiam ſuſtinere
luerit ſummonitiones, attachiemẽta, execu-
nes iudiciorum curiæ domini regis fieri §ſe-
ndum legem & conſuetudinẽ regni vt pre-
ct' eſt§ puniatur modo predicto, tanquã ſe
ticiari non permittens, & hoc ſecundũ de-
ti quantitatem. Et ſi quis maior vel minor
trictiones faciat ſup tenentẽ ſuũ, ꝑ ſeruitijs
conſuetudinibus, quæ ſibi deberi dicat, vel
re altera, vnde ad dominum feodi ꝑtineat
trictiones facere, & poſtea conuincat̃, quod
ıens ea ſibi no debeat: non ideo puniat̃ dñs
r redemptionem, vt in ſupradictis caſibus, ſi
rmittat diſtrictiones deliberari ſecundum
em & conſuetudinem regni: ſed amerciet̃,

velut

velut hactenus conſuetum eſt,& tenens dãpna ſua recuperet verſus eum.

¶*Diſtrec.4. Cap.6o. 4.*

¶Nullus de cetero faciat ducere diſtrictiones,quas fecerit,extra comitatum in quo captæ fuerint. Et ſi vicinus hocfecerit ſuper vicinum ſuum, & per voluntatem ſuam, & ſin iudicio,puniatur per redemptionem vt ſupra veluti de re §facta §contra pacem. Veruntamen ſi dominus hoc ſuper tenentem ſuum facere preſumpſerit, caſtigetur per gratie miſericordiam. Diſtrictiones inſuper ſint rationabiles,& non nimis graues. Et qui diſtrictiones fecerint irrationabiles,& indebitas,grauiter amercientur propter exceſſum diſtrictionum ipſarum. §Vide ſtatutum anno 1.& 2 P.& M. cap.13.

¶*Confirmation.1. cap.5.*

¶Magna charta in ſingulis ſuis articulis teneatur,tã in his quæ ad regem pertinẽt,quã ad alios,& hoc coram iuſticiar̃ itinerantibus in ſuis itineribus,& vic' in com̃ ſuis, cũ opus fuerit demandetur, & breuia verſus eos qui contrauenerint gratis concedantur coram rege,vel coram iuſtic' de banco, vel coram iuſtic' itinerantibus cum in partes illas venerint. Similiter Charta de foreſta in ſingulis ſuis articulis teneatur , & contrauenientes per dñm regem,cum conuicti fuerint grauiter puniantur modo ſuprad'.

¶*VVardes.6. cap.6.*

¶De his autem qui primogenitos & heredes ſuos infra ætatem exiſtentes feoffare ſolent

Art encontre le text

Si un ad mannor en un countie, et un tient terres de ceo [illegible] il ad en autre countie de cest mannor, bien list al Seignior a distreyner pur les services, et de amesner le distres al mannor en le autre countie ou le mannor est. Il semble encounter le text del art. mes en veritie est contrarie al generalitie del text del art. 30. E. 3. 6. [illegible] H. 6. 3. 4. E. 6. 18. 2 El. Plow. 204. Les Judges ont prist lentent de reason del art. nient de [illegible] a restriction, mes ou le seigniorie et tenancie [illegible] sont en un mesme countie.

Nota

Nota 9 H. 4 60 Hull et Gascoigne, que si tenant le roy tient auter terre de comon person in chivalry et alien ceo pur collusion & enfeoff son fits et heir a pleyn age, et devy le heire deins age et in gard le roy pur lauter terre tenus in capite que le roy ne poit avoir collusion dun lauter terre. Car cest est done tantum [illegible] Seignior mediat pur cest estatute, mes si que tient del heire in gard fayt p collusion et devy heire deins age, le roy avera la avantage del collusion. B. Collusion 16. vide plowden 49.

[illegible] 27 H 8. fo. 7. placito 22 per Ontley. In ascun cases le seignior perdra son gard, come si le tenant enfeoff son fits deins age et un estraunge ouster in fee, in ceux cases done tenancy a sons fits en tayle le remaynder ouster in fee, le fits ne serra in gard.

Si le primer fits dun home soit mort, et il enfeoff son second fits que est son heire, ceo est deins lequity de cest statute. Ou sil luy fine [illegible] ter de record, ceo serra deins lequity, et encore le statute parle de feoffment. vide ploydē 59.

ſolent de hereditate ſua, vt per hoc amitterent domini feodorum cuſtodias ſuas. Prouiſum eſt concordatum & conceſſum,quod occaſione huiuſmodi ‡falſi‡ feoffamenti, nullus capitalis dominus amittat cuſtodiam ſuam / De his inſuper qui de terris ſuis,quas tradere voluerint ad terminum annorum, vt per hoc domini feodorum amittant cuſtodias ſuas, falſa fingunt feoffamenta continētia,quod eis ſatiſfactum eſt de ſumma ſeruitij in illis contenti vſque ad terminum aliquem : ita quod ſi ad dictum terminum ſoluere teneantur huiuſmodi feoffati ſummam aliquam ad valorem terrarum illarum, vel in multo excedentem, vt ſic poſt terminum illum terra eorum reuertatur ad ipſos, vel ad heredes ſuos, eo quod nemo eam pro tanto tenere curaret . Prouiſum eſt, concordatum & conceſſum , vt per huiuſmodi fraudem nullus capitalis dominus amittat cuſtodiam ſuam : Veruntamen non licebit eis huiuſmodi feoffatos ſine iudicio diſſeiſire : ſed breue habeant de huiuſmodi cuſtodia ſibi reddenda, & per teſtes in chartis de huiuſmodi feoffamento contentos , vna cum alijs liberis & legal' hominibus de patria, & per quantitatem & valorem teñ, & per quantitatem ſummæ, quæ inde reddi debeant poſt terminum ‡prædictum‡ attingatur vtrum huiuſmodi feoffamenta bona fide facta ſint, an in fraudem, ad auferendum capital' dominis feodorum cuſtodiam ſuam. Si vero capital' domini per iudicium curiæ in huiuſmodi caſibus recuperauerint cuſtodiam ſuam, ſalua ſit nihilominus huiuſmodi feoffatis

actio ſua,quo ad terminum,ſeu ad feodū recuperandum,quam inde habuerint cum heredes ad legitimam ætatem peruenerint. Et ſi aliqui capitales Domini feoffatos aliquos malitioſe implacitauerint , fingentes caſum iſtum, maxime vbi feoffamenta legitime & bona fide facta fuerint , tunc adiudicetur feoffatis dampna ſua , & miſæ ſuæ, quas fecerint occaſione prædicti placiti, & ipſi actores per miſerecordiam grauiter punniantur.

VVardas.7. cap.7.

¶In placito vero communi de cuſtodijs , ſi ad magnam diſtrictionem non venerint deforciatores , tunc bis vel ter iteretur breue prædictum ad terminos ,quibus fieri poterit , infra medietatem anni ſequentis,ita quod ſingulis vicibus legatur breue in pleno comitatu ‡niſi aſ vbi‡ prius inuentus fuerit deforciator. Et ibi publice denuncietur , vt veniat ad diem ſibi prefixum. Quod ſi ipſe extunc ſe ſubtraxerit ita quod infra medietatem anni prædicti reſponſurus non venerit, nec vicecomes eum inuenire poſſit,per quod corpus ſuum habere non poſſit coram iuſticiarijs,ad reſpondendum ſecundum legi et conſuetudinem regni,tunc (tanquam rebellis,& ſe iuſticiari non permittens) amittat ſeiſinam huiuſmodi cuſtodię,ſalua ſibi alias actione ſua,ſi forte ius habeat ad eandem. In caſibus autem vbi cuſtodię pertinent ad cuſtodes heredum infra ętatē exiſtentium‡verſus cuſtodes illas‡petatur cuſtodia quæ accidit heredibus‡illis tanquam pertinē ad eorum hereditates:& non amittant huiuſmodi hæredes infra ætatem exiſtentes hereditatem ſuam

ſuam per negligentiam, vel rebellionem ſuorum cuſtodum, ſicut in caſu prædicto, ſed currat lex communis eodem modo quo prius currere conſueuit.

¶*Rediſſeiſin.* 2. *cap.* 8.

¶Illi autem qui pro iterata diſſeiſina capt̃ fuerint & detenti, non deliberentur ſine ſpeciali præcepto domini regis, & hoc per finem cum domino rege inde faciendum pro huiuſmodi tranſgreſsione ſua. Et ſi compertum fuerit quod vic' aliter eos deliberauerit, propter hoc grauiter amercietur, & nihilominus illi qui per vicecomitem, ſine precepto domini regis, ſic deliberantur, pro ſua tranſgreſsione grauiter puniantur. ‡Mertõ. capitul. 3. VVeſt. 1. cap. 26.

fort le court forsqz Englefield. qz ceux qz sont pris pour redisseisin, ne deliberentur sine speciali precepto dni regis, et hoc per finem cum domino rege inde faciendum, qz ces especiall commaundement ne poet estre forsqz hors del Chauncery. Englefield en tant qz cest estrange en ceo court [illegible] ceux Justices icy ont power de assesser le fine et deliverance hors especiall [illegible] hors de son court al [illegible] vide plus [illegible] 18 H 8 . i . i .

¶*Snite.* 1. *cap.* 9.

¶De ſectis vero faciendis ad curiam magnatum, vel ad curiam aliorum dominiorum ipſarum cur̃, de cetero ſic obſeruandum eſt, quod nullus qui ꝑ chartam feoffatus eſt, diſtringatur de cetero ad huiuſmodi ſectam faciendam ad curiam domini ſui niſi per formam ‡feoffamenti ſui‡ ſpecialiter teneatur ad ſectam illam faciendam. His autem exceptis quorum anteceſſores, vel ipſimet, huiuſmodi ſectam facere conſueuerunt ante primam tranſfretationem prædicti domini Regis Henrici in Britanniam, a tempore cuius tranſfretationis elapſi ſunt xxxix. anni, & medietas vnius anni ‡ad tempus‡ quo huiuſmodi conſtitutiones fuerunt ſtatutæ. Similiter nullus feoffatus, a tempore conqueſtus ‡ſine charta‡ vel aliquo alio antiquo

feoffamento diſtringatur ad huiuſmodi ſectam faciend', niſi ipſimet, vel anteceſſores ſui, eam facere conſueuerunt ante primam transfretationem prædictam. Qui autem per cartam pro certo ſeruitio veluti pro libero ſeruitio tot ſolidorum annuatim pro omni ſeruitio ſoluend' feoffati ſunt ad huiuſmodi ſectam, vel ad aliud, contra formam feoffamenti ſui, de cetero non teneantur. Et ſi hereditas aliqua, de qua tantum vnica ſecta debeatur, ad plures heredes participes eiuſdem hereditatis deuoluatur, ille vero qui habet enitiam partem hereditatis illius, vnicam faciet ſectam pro ſe et participibus ſuis, & alij participes ſui pro portione ſua, contribuant ad ſectam illam faciendam. Et ſi plures feoffati fuerint de hereditate aliqua, de qua tamen vnica ſecta debeatur, dominus illius feodi vnicam ſectam inde habeat, nec poſsit de predicta hereditate niſi vnicam ſectam exiger. ſicut prius inde fieri conſueuit. Et ſi feoffati warrantum, vel medium non habeant, qui (inde) eos acquietare debeat, tunc omnes illi feoffati, pro portione ſua, contribuant (pro portione ſua) ad ſectam illam pro eis faciendam. Si autem contingat, quod domini cur, tenentes ſuos contra hanc conſtitutionem, pro huiuſmodi ſecta diſtringant, tunc ad quæremoniam tenentium illorum attachientur eorum domini, quod ad curiam Regis veniant ad breuem diem, inde reſponſuri, & vnicum inde habeant eſſonium ſi fuerint in Regno, & incontinenter deliberentur conquerenti aueria ſua, ſiue aliæ diſtrictiones, hac occaſione factæ, & delibe-

ratæ

ratę remaneant, donec placitum inde inter eos terminetur. Et ſi domini curiarum, qui huiuſmodi diſtrictiones fecerint, ad diem, ad quem attachiari fuerint non venerint, vel diem per eſſonium ſibi datum non obſeruauerint, tunc mandetur vicecomiti, quod eos ad alium diem venire faciat, ad quem diem ſi non venerint, tunc mandetur vicecomiti, quod diſtringat eos per omnia catalla, quæ habent in balliua ſua, ita quod vicecomes reſpondeat domino Regi de exitibus dicti heredis, & quod habeat corpora eorum ad certum diem ſibi præfigendum coram Iuſticiarijs. Ita quod ſi ad diem illum non venerint, eat pars conquerens inde ſine die, & aueria ſua, ſiue aliæ diſtrictiones hac occaſione factæ, deliberata remaneant, donec ipſi domini ſectam illam recuperauerint per conſiderationem Curiæ regis, & ceſſent interim huiuſmodi diſtrictiones, ſaluo dominis curiarum iure ſuo de ſectis illis recuperandis in forma iuris, cum inde loqui voluerint.

¶Et cum domini curiarum inde venerint reſponſuri conquerentibus de huiuſmodi diſtrictionibus, & ſuper hoc conuincãtur, tunc ꝑ conſiderationem curiæ dñi regis recuperent verſus ipſos cõquerentes dampna ſua quæ ſuſtinuerunt occaſione diſtrictionis prædictæ. Simili autem modo ſi tenentes, poſt hanc conſtitutionem, ſubtrahunt dominis ſ feodorum ſ ſectas quas facere ſ debeant et quas ante tempus prædict' transfretationis, et hactenus facere conſueuerunt, tunc per eandem iuſtitiam & celeritatem quo ad dies præfigend', & diſtrictiones adiudicand', conſequantur dñi curiarũ iuſticiam de ſectis illis perquirendis, vna cum dãpnis

nis ſuis, quemadmodum tenentes damna ſua recuperarent. Et hoc ſcilicet de damnis recuperandis, intelligatur de ſubtractionibus ſibi factis, & non de ſubtractionibus factis predeceſſoribus ſuis. Veruntamen domini curiarum verſus tenentes ſuos ſeiſinam de huiuſmod' ſectis recuperare non poterunt per defaltam, ſicut prius fieri conſueuit. De ſectis autem, quę ante tempus ſupradictū ſubtracte fuerūt, currat lex communis, ſicut prius currere conſueuit.

¶*County et Tourne 2. cap. 10.*

¶De tournis vic. prouiſum eſt, quod neceſſe non habeant ibi venire archiepiſcopi, epiſcopi, abbates, priores, comites, barones, nec aliqui viri religioſi, ſeu mulieres, niſi eorum preſentia ob aliquam cauſam ſpecialiter exigatur, ſed teneatur turnus, ſicut temporibus predeceſſorum domini regis teneri conſueuit. Et qui in § diuerſis § hund' habeant tenta § non habeant neceſſe ad huiuſmodi turnos venire, niſi in balliuis vbi fuerint conuerſantes. Et teneantur turni ſecundum formam magnę chartę, & ſicut temporibus regum Rich. & Iohannis teneri conſueuerunt. Vide M. cap. 35.

¶*Beaupleder, 1. cap. 11.*

¶ Prouiſum eſt etiam, quod nec in itinere iuſtic' nec in com, in hundred', nec in cur̄ baron̄ de cetero capientur fines ab aliquibus pro pulchre placitando, neque § pro eo § quod non occaſionentur. Et ſciendum eſt, quod per iſtam conſtitutionem non tolluntur fines certi, ſeu preſtationes ar-

urentate a tempore quo dominus rex prim̃ tranſ-
fretauit in Britanniam vſq; nunc.

¶*Dies in banke*. 3. *cap*. 12.

¶In placito vero dotis, quod dicitur vnde nihil habet, dentur de cetero quatuor dies per annum ad minus, & plures ſi commode fieri poterit, ita quod habeant quinque vel ſex dies ad minus per annum. In aſsiſſs §autem§ vltime preſentationis, et in placito quare impedit de eccleſijs vacantibus, dentur dies de quindena in xv. vel de tribus ſeptimanis in tres ſeptimanas, prout locus fuerit propinquus, vel remotus.

¶*Quare impedit*. 1.

¶Et in placito quare impedit ſi ad primum diem ad quem ſummonitus fuerit, non venerit nec eſſoinium miſerit impeditor, tunc attachiet̃ ad alium diem, quo die ſi non venerit, nec eſſonium miſerit diſtringatur per magnam diſtrictionem ſuperius datam. Et ſi tunc non venerit, per eius defaltam ſcribatur epiſcopo illius loci quod reclamatio impeditoris, illa vice conquerenti non obſiſtat, ſaluo impeditori alias iur̃ ſuo, cum inde loqui voluerit. Eadem lex de attachiamentis faciendis, in omnibus breuibus vbi attachiamenta iacent de cetero (quo ad diſtrictiones faciend') firmit̃ obſeruet̃: ita tamen quod ſecund' attachiamentũ fiat per meliores pleg. & poſtmod' vltima diſtrictio. §vide art̃ ſuper§ cartas cap. 15.

¶*Eſſoine*. 1. *cap*. 13.

¶Et ſciendum eſt §quod§ poſtquam aliquis poſuerit ſe in inquiſitionem aliquam, que emerſerit, vel emergere poterit in huiuſmodi

breuibus,non habebit niſi vnicum eſſonium, vel vnicam defaltam,ita quod ſi ad diem ſibi datum per eſſonium ſuum non venerit, aut ſecundo die defaltam fecerit, tunc inquiſitio illa per eius defaltam capiatur,et ſecundum inquiſitionem illam ad iudicium procedatur. Si vero inquiſitio illa capta fuerit in comitatu coram vicecomite vel coronatore,ad iuſticiarios domini regis ad certum diem eſt remittendum. Et ſi pars rea non venerit ad diem illum, tunc propter defaltam ipſius, aſsignetur & alius dies, ſecundum diſcretionem Iuſticiariorum, & mandetur vicecomiti, quod ad diem illum faciat eum venire ad audiendum iudicium (ſi velit) ſecundum inquiſitionem illam. Ad quem diem ſi non venerit, propter defaltam ſuam procedatur ad iudicium. Eodem modo fiat, ſi non veniat ad diem ſibi datum per eſſonium ſuum.

¶*Iurors* 1. *chap*. 14.

¶De chartis vero exemptionis, & libertatis ne ponantur impetrantes in aſsiſis,iuratis vel recognitionibus aliquibus: Prouiſum eſt, quod ſi adeo neceſſarium ſit eorum iuramentum, quod ſine eis iuſticia exhiberi non poterit (Veluti in magnis aſsiſis, & in perambulationibus, & in chartis vel ſcriptis conuentionum, vti fuerunt teſtes nominati, aut in attinctis, vel alijs conſimilibus) iurar̃ cogantur, ſalua ſibi alias libertate,& exemptione ſua prædicta.

¶*Diſtres*.5. *Cap*.15.

¶Nullus de cetero liceat, ex quacunque cauſa diſtrictiones facere extra feodum ſuum, nec in

Stieph. post dictu in Gant. streete ... in locis, 3. 4. E. 2. 19. E. 2. fit. ... 121. ...

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ı via regia , aut in communi ſtrata, niſi domi-
o Regi,& miniſtris ſuis ſpecialem auctorita-
m ad hoc habentibus. ‡ weſtminiſter .1.
apit 16.‡

¶*Mordaunceſter*. I. *cap*. 16

¶Si heres aliquis poſt mortem anteceſſoris ſui fra ætatem extiterit,& dominus ſuus cuſtodiam rrarum, & tenementorum ſuorum habuerit, ſi ominus ille dicto heredi,cum ad legittimam ætam peruenerit,terram ſuam ſine placito reddere luerit,hæres ille terram ſuam per aſsiſam mor anteceſſóris recuperabit, vna cvm damnis ſuis, æ ſuſtinuerit propter detentionem illam, a temre quo fuit legittimę ætatis. Et ſi heres aliquis tēre mortis anteceſſoris ſui plenę ætatis fuerit, & e heres apparens, & pro herede cognitus & inntus ſit in hereditate illa,capitalis Dominus eum n eiiceat, nec aliquid ibi capiat, vel amoueat, d tamen inde ſimplicem ſeiſinam habeat pro regnitione dominij ſui vt pro domino cognoſcaır. Et ſi capitalis dominus huiuſmodi heredes tra ſeiſinam malicioſe teneat,propter quod breue ortis anteceſſoris, vel conſanguinitatis oporteat ſum impetrare,tunc dampna ſua recuperet. ſicut aſsiſa nouæ diſſeiſinæ. De heredibus autem, qui e domino rege tenent in capite, ſic obſeruandum t,vt dominus Rex primam inde habeat ſeiſinam, cut prius inde habere conſueuit. Nec heres nec aquis alius in hæreditatem illam ſe intrudat, priſquam illam de manibus domini regis recipiat rout huiuſmodi hæreditas de manibus ipſius c anteceſſorum ſuorum recipi conſueuerit tempo-

ribus

ribus elapſis. Et hoc intelligatur de terris et fe-
odis,quæ ratione ſeruitij militaris,vel ſerieantiæ,ſi-
ue iuris patronatus in manibus domini regis eſſe
conſueuerunt. ‡Vide Prærogatiua cap.3. Et
Glanuil li.7.ca.9.fo.4.

¶*VVardes*.8. *cap*.17.

¶ Prouiſum eſt inſuper, quod ſi terra, qua
tenetur in ſoccagio, ſit in cuſtodia parent̄ hered
eo quod heres infra ætatem extiter̄, cuſtod' illi va-
ſtum facere non poſſunt,nec vendicionem nec ali-
quam deſtructionem de hereditate illa, ſed ſalu
eam cuſtodiant ad opus dicti hered' ita quod cun
ad ligittimam ætatem peruenerit, ſibi rn̄deant d
exit̄ dicti hereditatis,per legalem computationem
ſaluis ipſis coſtodibus racionabilibus miſis ſui
Nec etiam poſſunt dicti cuſtodes maritagiur
dicti heredis dare vel vendere, niſi ad commodur
dicti heredis, ſed parentes dicti hered' propin
quiores, qui huiuſmodi cuſtodiam habuerint,
toto tempore illo a quo breuia non concedur
tur implacitandi, huiuſmodi cuſtodias habe
ant ad commodum heredum vt predictu
eſt, ſine vaſto, vel exilio, vel deſtructione fac
enda.

¶*Amercement*.1. *cap*.18.

¶ Nullus eſcaetor, vel inquiſitor, aut iu
tic' ad aſſiſas aliquas ſpecialter capiendas a
ſignatus,vel ad querelas aliquas audiendum & te
minandum,de cetero habeant poteſtatem aliqua
amerciandi pro defalta communjs ſummonition
niſi capit̄ iuſtic',vel iuſtic' itinerantes in itinerib
ſuis.

¶*Eſſo*

¶ *Eſſoine*. 2. *cap*. 19.

¶ De eſſonijs autem prouiſum eſt, quod in com, [illegible handwritten marginal note beginning "2. E. 4. 16."]
iund, aut in curia baron, vel alijs curijs nullus ha-
ɔeat neceſſe iurare pro eſſonio ſuo warrantizand'
) vide Glanuill. li. 1. cap. 12. fol. 4.

¶ *Faux iudgement*. 1. *cap*. 20.

¶ Nullus de cetero (excepto domino rege) teneat
ɔlacitum in curia ſua de falſo iuditio facto in cur̃
eñ ſuorum, quia huiuſmodi placita ſpecialiter ſpe-
tant ad coronam, & dignitatem domini regis.

¶ *Repleuin*. 1. *cap*. 21.

¶ Prouiſum eſt etiam quod ſi aueria alicuius ca-
iantur, & iniuſte detineantur, vic' poſt queremo-
iam inde ſibi factam, ea ſine impedimento vel cõ-
radictione eius qui dicta aueria ceperit, deliberare
oſsit, ſi extra libertates capta fuerunt. Et ſi infra
bertates capta fuerint huiuſmodi aueria, & balliui
bertatis, ea deliberare noluerint, tunc vic' pro de-
ectu ipſorum balliuorum ea faciat deliberari.

¶ *Freeholde*. 1. *cap*. 22.

¶ Nullus de cetero poſsit diſtringere libere te- [illegible handwritten marginal note beginning "Inst: 145: b:"]
entes ſuos ad rñdend' de libero tenemento ſuo nec
e aliquibus ad liberum teñ ſuum ſpectantibus, nec
urare faciat libere tenentes ſuos contra voluntatem
uam, quia hoc nullus facere poteſt, ſine precepto
omini regis.

¶ *Accompt*. 1. *cap*. 23.

¶ Prouiſum eſt etiam quod ſi balliui, qui
ompotum ſuum dominis ſuis reddere tenentur
ſubtraxerint, & terras vel tenementa
non

non habuerint,per quę diſtringi poſſunt, tunc per eorum corpora attachientur,ita quod vicecomes in cuius balliua inueniantur,eos venire faciat ad compotũ ſuũ reddend'.

¶*Vvardes* 3. *Cap* 23.

¶Item firmarij tempore firmarum ſuarum vaſtum,venditionem,vel exilium non facient de domibus, boſcis,vel hominibus nec de aliquibus ad tenem̃ quod ad firmam habent ſpectant,niſi ſpecialem inde habuerint conceſsionem per ſcriptum conuentionis mencionem faciens quod hoc facere poſſunt. Quod ſi fecerint,& ſuper hoc conuincantur,dampna plena reſtituant,& per miſerecordiam grauiter puniantur.

¶*Iuſtices in Eire*. 1. *cap*.24.

¶Iuſticiarij itenerantes de cetero non amercien villatas in itinere ſuo,pro eo ꝙ ſinguli xij.annori non venerint coram vicecomitibus & coronatoribus, ad inquiſitionem de roberijs,incendij domorum, vel alijs ad Coronam ſpectantibu faciend'. Dum tamen de villatis illis veniant ſufficientes, ꝑ quos inquiſitiones huiuſmodi plen fieri poſſunt,exceptis inquiſitionibus de morte hominis faciend',vbi omnes xij.annorum venire debent, niſi rationabilem cauſam habeant abſentiæ ſuæ.

¶*Murder*. 1. *cap*.25

¶Murdrum de cetero non adiudicetur coran iuſticiar̃,vbi infortunium tantũmodo adiudicatun eſt,ſed locum habeat murdrum de interfectis pe feloniam tantũ,& non aliter.

¶*Voucher* 1. *cap*.26.

¶Prouiſum eſt quod nullus, qui coram iuſticia

Iuſtic' itinerantibus vocatur ad warrant̃ in placito terræ, vel teñ, amercietur de cetero, pro eo quod preſens non fuerit quando vocatur ad warrantum (excepto primo die aduentus Iuſticiar̃ ipſorum) ed ſi §warrantus§ ille fuerit infra comitat̃, tunc niungatur vicecom̃, quod ipſum infra tertium di- m, vel quartum (ſecundum locorum diſtantiam) aciat venire, ſicut in itinere iuſtic. fieri conſu- uit. Et ſi extra comitat̃ maneat, tunc rationabilẽ abeat ſummonitionem xv. dierum ad minus, ſe- undum diſcretionem Iuſticiar̃ & legem commu- em.

¶*Mainpriſe and Baile.* 1. *cap.* 27.

¶Si clericus aliquis pro crimine aliquo vel retto uod ad coronã pertineat, areſtatus fuerit, & poſt- iodum per preceptum domini regis in balliuum aditus §fuerit‡ vel replegiatus extiterit, ita quod j quibus traditus fuerit in balliuum, eum habe- it coram Iuſticiar̃, non amercientur de cetero illi uibus traditus fuerit in balliuum, nec alij pleg. i, ſi corpus ſuum habeant coram Iuſticiar̃, licet ram eis propter priuilegium clericale reſponde- noluerit, vel non potuerit propter ordinarios os.

¶*Monaſteries &c.* 1. *cap.* 28.

¶Prouiſum eſt, quod ſi deprædationes, vel pini aliqui fiant abbatibus, prioribus, vel ali- prælatis eccleſiaſticis, & ipſi ius ſuum de hu- modi deprædationibus proſequentes morte, euenìantur antequam iudicium inde fue- t aſſecuti, ſucceſſores eorum habeant acti- es ad bona eccleſiæ ſuæ de manibus huiuſ- modi

modi tranſgr̄ repetend'. Similem inſuper habeant actionem ſucc' de his quæ domui ſuæ & eccleſia §recenter § ante obitū predeceſſorum ſuorum pe huiuſmodi violentiam fuerint ſubtracta, licet predicti predeceſſores ſui ius ſuum proſecuti non fuerunt in vita ſua. Si autem in terris, & tenementi huiuſmodi religioſorum, de quibus eorum prelat obierint ſeiſit vt de iure eccleſiæ ſuæ, aliqui ſe intru dant tempore vacationis, ſucceſſores ſui br̄e habeant de ſeiſina ſua recuperand', & adiudicentur ei damna ſua, ſicut in noua diſſeiſina adiudicari conſueuit.

¶*Entre of writtes*.1. *cap*.29.

¶Prouiſum eſt etiam, quod ſi alienationes illa de quibus breue de ingreſſu dari conſueuit, per tc gradus fiant, per quot breue illud in forma prius v ſitata fieri non poſsit, habeant conquerentes breu ad recuperandum ſeiſinam ſuam, ſine mention graduum, ad cuiuſcunque manus per huiuſmoc alienationes, res illa deuenerit, per breue originale, & per §commune§ conſilium domini Regis inde prouidendum &c.

VVeſtm̄ primer edit̄ anno tertio *Edwardi primi.*

CEux ſont les eſtabliſhements le roy Edward fitz le roy H. faitz a weſtm̄, a ſon primer parliam̄t general apres ſon coronement, lendemaine de la cluſe d̄ Paſche lan de ſon raigne 3. p ſō coūſel, p laſſentments des archieueſq̃, eueſq̃, ab-es, priors, coūtœs, barons, & tout la comi= alty de la terre illonq̃ ſōmons. Pur ceo q̄ ce ſir̄ le roy ad graund volunt & deſier dl tate de ſon realme redreſſer en les choſes u meſt eſt damendement, & ceo pur le comō rofite de ſaint eſglis, & de ‡ſon‡ realme, & ur ceo q̄ leſtate de ſon realm̄ & de ſaint eſgl̄) eſt malem̄t gard, & les prelats & religious e la t̄re en mults des maners grieues, & l̄ eople auterm̄t treit q̄ eſt̄ duiſt, & la peace eins gard, & les leiez meis vſes, & les miſ= ſāts meins punes, q̄ eſtre duiſſent, p quoy s gents de la terre doubteront meins a iſfaire, cy ad le roy ordein & eſtably, l̄s cho s ſouthſcripts, les q̄x il entend deſt̄ p̄fi= ables & couenables a tout le Realme.

¶Monaſteries. 1. Cap. 1.

¶En primes voit le roy & command que peace de ſaint eſglis, & de la terr̄, ſoit bn̄ ard & mainteign̄ en touts points, & q̄ com= on droiture ſoit fait a touts, auxibn̄ as ouers, come as riches, ſans regarde de nul-

luy

luy. Et pur ceo que les abbes et les meaſõ
de religion de la terre, ont eſte ſurcharges
greues malement, per le venue des graũde
gents et dauters, que lour biens ne ſufficii
a eux meſmes per que les religious ſont ey
bates & impouers, quilz ne poient eux me
mes ſuſteigñ, ne la charge de charity quel
ſoilent faire. Purueu eſt que nul ne veig
manger, harbarger, ne giſer a meaſon de re
ligiõ dauter auowſon, q̃ de la laine, al co
tages de la meaſon, ſil ne ſoit prie et requi
ſpecialment per le gouernour de la meaſo
auant quil veigne. Et que nul a ſes coſtag
demeſne, ne enk, ne veigñ giſer encounter
volũte ceux de la meaſõ. Et par cel eſtat n
tend pas le roy, que grace ď hoſpitality ſo
ſuſtreit as beſoignes, ne q̃ les auowes de
meaſons les puiſſent par lour ſouẽt venue
ſurcharger ne deſtruer. Purueu eſt enſem
q̃ nul graunď ne petit, per colour de paren
ou deſpecialty, ou p auter affiance, ne p au
ter encheſon, ne courge en auter parke,
peſhe en auter viuer, ne veigne manger
herberger, en meaſon, ne en manor ou, ẽ mea
ſon de p̃late, ne de home ď religion, ne daut
encounter la volunte le ſeigniour, ou le bail
de coſtages le ſeigniour, ne a ſõ coſt deme
ne. Et ſil veigne, ou enter per le grœ, o
ſãs le grœ le ſeignioꝛ ou le bailife, nul ſar
re, huis, ne feneſtre, ne nul maner ď ferme
faire ouerer, ne ď pecher per ſoy ne p aute
ne nul maner ď vitaile ne auter choſe preig
par colour de achate, ne auterment, Et qu
m

nul face barter blee ne prender blee, ne nul
maner de vitaile, ne les auts bien, de nulluy
prelate, home de religion, ne de auter, ne de
clerk, ne de lay, per colour de achate, ne au-
terment, encounter la bone volunte & le cō
ge de celuy, a que la choſe ſerra, ou de gar-
dein, deines ville marchandiſe, ou dehors.
Et que nul preigñ chiuals, boſes, chares, ne
charets, neefes, ne bateux ne auters choſez
affaire cariage, ſans le bone volunte de ce-
luy, a que les choſes ſerront. Et ſi il par la
bone volunte de celuy le face, lors maynte-
nāt face ſon gree ſolonqs le couenāt fait en-
tre eux. Et ceux que viendront encoūter les
eſtabliſhmēts auātdits, et de ceo ſoient at-
taints, ſoiēt aiudges a la priſō le roy, & dil-
onques ſoiēt rētes, et punies ſolonques la
quātitie et le maner du treſpas, et ſolonque
ceo que la roy en ſa court veier que biē ſoit.
Et ſoit aſſauer que ſi ceux, a que le trñs fuit
fait, voillent ſuer les damages, que ils auerē
reſceux lour ſerra agard et reſtore au double
Et ceux que le treſpaz auerōt fait ſoient en-
ſeinēt punies en le maner auātdit. Et ſi nul
ne voile ſuer, eit le roi la ſuite, come de choſe
fait encounter ſon defence, & encounter ſa
peace. Et le roy fra ēquire de an en an, ſi cōe
il quidra que bein ſoit, queux gents eient tiel
treſpas fait. Et ceux queux ſerrōt endites p
eux enqueſts, ſerrōt attaches & diſtreigñ p
la grāude diſtreſſe de vener a certayne iour,
que cōteigne le ſpace dune mois en la court
del roy la ou luy plerr. Et ſi ceux ne veigñ

a cel iour, ils ſerront auterfoits de recheſſe
diſtreigñ per meſme diſtr̃, de vener a vn aut̃
iour, que conteigñ le ſpace de vj. ſemaignez.
Et ſi ceux adoncq̃ ne veignent, ſoient adiud-
ges come attaints, & rendent le double
(per le ſuit del Roy) a ceux queux le dam̃
aueront receux, & ſoient greuement rentes
ſolonq̃ le maner del treſpas. Et le roy def.
& commaund, q̃ nul deſormes ne face male,
dam̃ ne greuance a nul home de religion, p=
ſon de ſainct eſglis, ne a auter p encheſon de
ceo q̃ ils eiont deny loſtel, ou le manger a
nulluy, ou per encheſon de ceo que aſcun ſoy
pleint en court de ceo q̃ il ſoit greue dez aſt
choſes auauntdits, & ſi aſcun le face, & de ceo
ſoit attaint, ſoit incurru le peine auaundit.
Et eſt puruieu q̃ ces points auandits liet
auxybien nous councellors, iuſtices del fo=
reſt, & aut̃ nous iuſtices, come auts gẽts. Et
q̃ les points auandicts ſoient mainteignes,
gardes & tenus. cy defend le roy ſur ſa greue
forfaiture, que nul prelate, abbe, prior, hõe
de religion, ou bailife daſcun de eux, ou del
auter, ne reſceiue nul home encounter la
forme auauntdiſt. Et que nul ẽuoy au meſ=
ſon, ne au manor de religion, ne de aut̃ hom̃
gents, chiualx, ne chiens a ſoiorñ ne nul ꝑ̃z
reſceiue. Et q̃ le fra, pur ceo que eſt encon=
ter le defence & le commaundement le roy, il
ſerra punis greuement. Uncore eſt pur=
ueu que le viẽ ne herbergent oue nulluy, o=
deſq̃ plus que v, ou vj. chiualx, ne q̃ ils ne
greueuent la gẽts d̃ religiõ, ne aut̃ per lour

ſouẽ

ſouent venire, ou giſer a lour meſons, ne a
lour manoꝛs.

¶Clergy. 1. cap. 2

¶Purueu eſt enſement que quāt clarke
eſt pꝛiſe pur rette de felony, ꝛ il ſoit demaūd
per loꝛdinary, il luy ſoit liuer, ſolonques le
priuiledge de ſanct eſgils, en tiel paril come
ils appent, ſolonque le cuſtome auaunt ces
heures vſe. Et le roy amoniſt les pꝛelates
ꝛ eux enioine en la foy q̄ ils luy doyent, ꝛ
ꝑ̄ la common pꝛofitt de la peace de la terr̄,
q̄ ceux q̄ ſont ēdits de tiel rette p ſolempne
ilts des ꝑ̄bes hōes fait ē la court del Roy,
en nul mañ ne les deliuerent ſauns due pur-
gacion, iſſint q̄ le roy neit miſter de mitter
auter remedye.

¶Eſcape 1. cap. 3

¶Purueu eſt enſement, que nul rien de-
ſoꝛmes ſoit demaund, ne pꝛiſe, ne leue per
vicount, ne per aut̄, pur eſcape de laron ou
felon, ieſque a tant que leſchape ſoit adiudg
per iuſtices errants. Et que auterment le
ferra, cy rendꝛa a celuy, ou a ceux que cel a-
ueront pay, quant que il auer pꝛiſe ꝛ reſt
ꝛ au roy au tant

¶VVrecke 1. cap. 4.

¶De wꝛecke de meere eſt accoꝛd, que la
ou home, chien, ou catte eſcape viues hoꝛs
de la niefe, la niefe ou batel, ou nul rien, que
la eins fuit, ne ſoit adiudge wꝛecke, mes
ſoiēt les choſes ſaues ꝛ gards p le vieu del
vic̄, coroñ, ou al̄ et del baily l̄ roy, et bai-
les ē l̄z maīz ceux d l̄ vill̄, ou l̄z choſez ſont

iſſint que ſi nul ſue les biens, & puit prouer q̄ls ſoient ou a ſon ſeigneor, ou a ſa garde peris, deins lan & le iour, ſauns delay luy ſoient rendus: ſi non, remaigne au roy, & ſoient priſes per le vic̄ et coronoirs, et baile a la ville pur reſpoigñ deuāt iuſtices de wreke que appēt a roy. Et la ou wreck appent a auter que au roy, ſi le eit per meſm̄ le manner. Et que autrement fra, & de ceo ſoit attaint, ſoit agard al priſon, et rent al volunt le roy & rendra les dam̄ enſement. Et ſi le bailyfe le face, & ſoit diſauow de ſon ſñr: et le ſñr ne ottrie de ceo a luy, reſpoigñ le bailife ſil eit de quoy, & ſil neit de quoy, rendra le ſeignior le corps du bailife au roy.

¶*Election* 1. *cap.* 5.

¶ Et pur ceo que elections doient eſtre frankes, ſi defend le roy ſur la grieue forfait que nul haut home ne auter, per poyar des armes, ne per manaces, ne diſturbe de faire franke election.

¶*Amercement* 3. *cap.* 6.

¶ Et que nul citie, borough, ne ville, ne nul home ſoit amerce ſans reaſonable encheſon, & ſolonq̄ le quantity del trñs, ceſtaſſauoire, francke home saue ſon contenement, marchāt saue ſō m̄chandiſe, & villen ſaue ſō gainage, & ceo p lour piers.

¶*Turneiers* 2. *cap.* 7.

¶ Des priſes des Conſtables ou chaſteleins faits des auters que des gents de la ville, ou la chaſels ſont aſſiſe. Puruieu eſt q̄ nul cōſtabl' ne caſtelain deſormes nul maſi

de priſe

de priſe ne face dauter hom̃ que de la vill' ou ſõ chaſtel eſt aſſiſe, & ceo ſoit paye, ou grace ſait deins xl. ioures, ſi ceo ne ſoit auncient priſe due au roy, ou a chaſtell, ou al ſeignior del chaſtell.

Beaupleder 2. cap. 8.

¶ Et que nul rien ſoit pris pur beaupld' ſicome auterfoits fuit defendu en temps le Roy Henry pier le roy que ore eſt. § Marlbr̃ cap. 11.

Robery 1. cap. 9.

¶ Et pur ceo que la peace de la terre ad eſtẽ feblement gard auant ſes heurs, pur defaut de bone fuit ſait ſur les felons ſolonqz due manner, & noſem̃t p encheſon des franchiſes ou les felons ſont reſceuz. Puruieu ẽ, q̃ tou͡tz cõunem̃t ſoiẽt priſtes, & aparails, au commaundement & a les ſummons des vicõnts, et au crie de pais, de ſuer et arreſtẽ les felons, quant meſt ſerra, auxibien deins franchiſes come dehors. Et ceux que ceo ne ferrent, et de ceo ſoient attaints, le Roy pn̄dra a eux greeuement. Et ſi defaut ſoit troũ ẽ le ſñr de la frãchiſe, le Roy ſe prẽdra a m̃ le frãchiſe. Et ſi le defaut ſoit troue ẽ l' baillife, eit lẽpriſonm̃t dũ an, et puis ſoit greuement rent, & ſil neit de quoy, eit lenpriſõm̃t de 2. ans. Et ſi vic̃, coronor ou auter baillife deis frãch. ou dehors, p lower ou p prier, ou per poies, ou p nul mañ daffinity, cõcelent, conſentẽt ou procurent de conceler, les felonies faits en lour bailies, ou auterment, ſe feignont attacher, ou arreſt l's miſfeſãtz

per la ou ils purẽ ou autermẽt ſe feignon de faire lour office, en nul maner de fauou des miſfeſants, ⁊ de ceo ſoient attaints, qu ils eient lenpriſonment dun an, ⁊ puis ſoi ent greuement rents a le volunt le roy, ſils eyent de quoy, ſi non, eient lenpriſonment d iij. ans.

¶Coroners 1. cap. 10.

¶Et pur ceo q̃ petitz gentz meins ſage ſolent eſlieus ore de nouel cõmunemẽt al of ſice d coron: et meſtier ſerroit q̃ probez hõe loialx ⁊ ſages ſe entermellent de cel office. Puruieu eſt, que per touts les countes ſoi ent eſlieus ſuffiſant homes coronors, de plus loials et plus ſages chiuallers, queu melius ſachent, puiſſent, et voilent a cel of ſice entend, ⁊ que loialment attachent et re preſentent les plees de la corone. Et que l vic̃ eiet counter rooles oue les coroners auxibien des appeals, cõe des enqueſts, d attachements, ou des auters choſes, q̃ a ce office apendent. Et qil coronor riẽs dõe n preign̄ de nulluy pur faire ſon office, ſu paine de la greue forfeiture le Roy. ‡14 E. 1. ſtat Exon̄.

¶Odio & atia 1. cap. 11.

¶Et pur ceo que pluſors reints d mor de home, ⁊ q̃ ſont culpable de m̃ le mort ſoi (per fauorables ẽqueſts, priſes per viſcõt et per briefe le roy que eſt appell odio ⁊ a tia) repleues, ieſques a le venue des iuſtices errants. Puruieu eſt, que tiel enqueſts ſoy ent deformes priſes p probes homes, eſlieus pe

il ſemble a ceſt ior, ſi un ad terre ſuffizient
a le coron, il ſuffiſt deſte coron coment qil ne
ſoit chiualer car ceux parols fuer miſe in le
ſtatute, al entent qil aua ſuffizient et
money pur cauſe. Fitz: Nat: Br. 164 A.

pur ſerement, dount les deux ſoiẽt a meins chiualers, q̃ p nul affinitie, touchẽt a l's pri=ſoners ne autermẽt ne ſoient ſuſpeccious. ‡Gloc.ca.9.W.2.ca.29.

¶Felony.4. Cap.12.

¶Purueu eſt enſemẽt, q̃ lez felõz eſcriez et queux ſont appertment de male fame, et ne ſoy voilent mittre en enqueſtes des felo=nies q̃ homes mẽt ſur eux deuaunt iuſtices a le ſuite le roye, ſoyent miſes en la pryſon fort & dure, come ceux queux refuſent eſtre al comen ley de la terre. Mes ceo neſt mye a entend pur priſoners q̃ ſõt priſes par le=gier ſuſpeccion.

¶Rape.1. Cap.13.

¶Et le roy defend, que nul ne rauiſe ne preigne a force dameſele deins age, ne p ſon gree, ne ſans ſon gree, ne dame ne dameſel d age, nauk feme maugre le ſouen. Et ſi vl le face, a le ſuite celuy que ſuera deines les xl. iours le roy luy fra comen droiture. Et ſi nul cõmence la ſuit deins les xl. iours l'roy ſuera a ceux q̃ux il trouera culpables, ils a=ueront la priſonmẽt de ii. ans, & puis ſerrõt rents a la volunte le roy, et ſils neient dont eſtre rents, ſoient punis per plus longe pri=ſonment, ſolonque ceo que le treſpas de=maund.

¶Appeales.2. Cap.14.

¶Et pur ceo q̃ hõe ad vſe en aſcũ payes de vtlager les gents appels d commaunde=ment, force, eid, ou de receiptmt, deins m la terme q̃ home doit vtlager celuy q̃ eſt appel

de fait. Purueu eſt & commaunde ꝑ le roy, q
nulꝰ ne ſoit vtlage pur appelꝰ de commaun=
dement, force, aide, ou de reſceiptment, ieſq
a taunt que lappellee del fait ſoit attaint,
iſſint q̄ vn m̄ ley ſoit de ceo per tout la terr̄,
mes celuy q̄ voet appeller, ne leſſa pas pu
ceo de attacher ſon appelꝰ, al procheiñ coū=
ty verz ceux, auxibiē com̄ vers les appellees
du fait, mes lexigēt de eux demurge tanqu
les appeales de fait ſoient attaints ꝑ vtla=
gar̄ ou auterment.

¶Mainpriſe. 2. Cap. 15.

¶Et pur ceo que viſcoūts et auts, quer
ount priſes & retenus en priſon gēts rettes
de felony ‡et‡ meint foits ount leſſe ꝑ reple=
uin les gēts, queux ne ſont my repleuiſablꝫ
et ont detenus en priſon ceux q̄ux ſōt reple=
uiſables, ꝑ encheaſon de gaign̄ des vnz, & de
greuer les auters, et pur ceo que auant ces
heures ne fuit my determiñ ‡certeinem̄t‡
queux gētes fuiſſent repleuiſables, & queux
non, forſpris ceux queux fuiſſent priſes pur
mort de home, ou per commandement le roy
ou de les iuſtices, ou pur la foreſt. Purueu
eſt, & ꝑ le roy commaunde, que les priſoners
queux ſont auant vtlages, et ceux q̄ux eyent
forjure la terr̄, prouours, et ceux queux ſont
priſes oue manor, & ceux queux oūt debruſe
la priſon le roy, larons apiertmēt eſcryes &
notories, & ceux que ſont appelles des pro=
uours, tanq; come les prouours ſont en vie
(ſils ne ſoient de bone fame) & ceux q̄ux ſōt
priſes pur arſon feloniouſment fait, ou pur
faux

ux money, ou fauxer de ſeale le roy, ou ex=
menge priſe per prieſt leueſq;, ou pur ap=
ert malueiſt) ou pur treſõ, q̃ touche, l'roy
eſme, ne ſoiẽt en nul maner replenıſables
r le common briefe, ne ſans bñ, Mes ceux
ſont enditez de larceny per equeſts dez
coũts, ou des baillifes priſes de lour of=
es, ou pur leger ſuſpeccion, ou pur petit
ceny, que namount ouſter le value de xij.
iers, ſils ne ſoiẽt rettes dauter larceny,
ant cel heure, ou rettes de receiptmẽt des
ons, ou des felons, ou de commaundemẽt,
de la force. ou del aide de le felon̄ fait, ou
tes dauter treſpas, pur le q̃l vn ne doit
e vie ne membre, & home appell' de puour
s la mort le pronour, ſil ne ſoit apiert la=
escrie, ſoite deſormes leſſe per ſuffiſant
uin, deuant le vicõt, dont le viẽ voil' reſ=
ũ, & ceo ſans riens don de lour biens par
leuin. Et ſi le viẽ ou auẽ leſſent p pleuin
, q̃ ne ſoit repleuıſable, ſi ceo ſoit viẽ, cõ=
le, ou auẽ bailliffe de fee que eit garde
priſons, & de ceo ſoit attaint, parð le fee &
lie a touts iours. Et ſi ſoit southviẽ,
able, ou baillif, a celuy q̃ ad tiel fee pur
der les priſõs & eit ceo fait ſans la volũ=
on ſeignior, ou auter baillif q̃ ne ſoit de
it lenpriſonmẽt de iij. añs & ſoit rẽt a le
ite le roy. Et ſi vl' detein les priſõers re
uiſables, puis q̃ le priſon̄ eit offre ſuffi=
ſuert, il ſerẽ ẽ le greue mercy le roy. Et
ent loẘẽ pur luy deliuerer, il rendra le
ble au priſoner, et enſement ſerra en le
greue

greue mercy le roye ‡de finibus leuatis.
E.1.cap.13.

¶Diſtres.6. Cap.16.

¶En droit de ceꝰ q̄ aſcūs gents parnoſ
prendre ſount les auers des auts, & les c
ſent hors del coūty ou les auerz fuerūt
ſes. Purueu eſt q̄ nul deſormez ne le fa
ſi vl le face, ſoit greuement rent ſolōque
q̄ eſt cōtenue en les eſtatutes de Mar
‡cap.4.‡ faits en tēps le roy H. pier le r
ore eſt. Et p m̄ le maū ſoit fait de ceux,
parnont les auers a tort, & q̄ux font di
en aut fee, plus greuemēt ſoient punis,
maner de treſpes le demaūd. ‡Marleb
1.cap.15.

¶Diſtres.7, Cap.17.

Purueu eſt enſement, q̄ ſi vl deſor
preigñ les auers des auts, & les face cha
chaſtelt, ou au forcelet, et illonq; de dep
le cloſe du chaſtel. ou de forcelet les det
encount gage & pledge, pur q̄ les auers
ront ſolempnemēt ddez p viſc, ou p aut
liſe le roy a la ſuite del pl', le viſc ou le
liſ priſe oue luy power de ſō coūtie ou
bail', & voit aſſaier d fair d ceo repl' ds
a celuy q̄ les auet priſe, ou a ſon ſñr, o
autet des homes ſon ſeignior quicunq;
ſont troues en le lieu, ou les auers fuer
chaſes. Et ſi home luy deforce adonq̄s
deliuerance des auers, ou q̄l ne troue h
pur le ſeignior, ou pur celuy que les a
priſe que reſpoigñ & face le deliuerance.
ceo que le ſeignior, ou parnour, per vic o

bailli

aillife,ſerra admoniſt de faire la deliuerãce,
ſoit in pais, ou p̄zes,ou la ou il purr̃ ꝑ le
ernoz,ou per auts des fees couenablemt
tre garnie de fair̃ le deliuerãce,ſil fuit horz
cel pais quant le pzile fuit fait, ⁊ ne face
dõq; maintenant les auers deliuer, que le
oy pur le treſpas et pur le diſpite, face a=
ate le chaſtle ou le fozcelet ſans recouer̃, ⁊
outz les dam̃ q̃ le pl' auer̃ reſceue de ſez a=
ers,ou de ſon gainage deſturbe,ou en auter
aner puis le pzimer demaunde des auers
it per le vic̃ ou per le baillife,luy ſoiẽt reſ=
zes au double,de ſeignioz ou de celuy que
s auers auer pziſe,ſil eit de quoy,⁊ ſil neit
quoy,reſpoign̄ le ſeignioz q̃l heure, et in
manner deliuer̃ ſoit fait apzes ceo que le
r̃ ou le bailyfe ſerra venue pur la deliue=
nce fair̃.Et ſoit aſſauoire que la ou le vic̃
uer̃ fair̃ returne del bziefe le roy au bailif,
ſeignioz du chaſtle ou de fozcelet,ou a aut̃
que returne de bziefe le roy appẽt, ſi le bai=
e de cel frãuchiſe ne face le deliueranz,pu-
q̃ le vic̃ auer̃ ret̃ a luy fait, face le viſcõt
n office ſans delay,et ſur lauaũtdiſt peiñ.
t per m̃ le maner ſoit fait la deliuerans ꝑ
tachement de pleint fait ſans bziefe,⁊ ſur
le paine.Et ceo face a entender per tout
ou le bziefe le roy court. Et ſi ceo ſoit en
marche de Gales,ou ailozs,la ou le bziefe
roy ne court my;le Roy que eſt ſoueraiñ
eignioz la,fra dzoit a ceux queux pleinđ
voudzont.

Juſtices

Iuſtices in Eire 2. cap. 18.

Pur ceo que la common fine et amce
de tout le county en eire des Juſtices p
faux iudgements, ou pur auter treſpas,
aſſeſe p vic̄ et barretors des counties mal
ment, iſſint q̄ la ſum me eſt meintfoits ecr
et les parcels auterment aſſeſe q̄ eſtre ne d
iſſent, au dam̄ des people, et pluſiors foi
ſont paies as vicoūts et barretors, que
point les acq uitent. Puruieu eſt, et d
le roy, que deſormes en eire des juſtices, d
uāt eux deuāt lour departē ſoit tiel ſum
aſſes p ſerem̄t de chiualls et des ꝓbes h
ſur touts iceux que eſcorer deuerunt, et
Juſtices facent mitter les parcels en l
eſtreats q̄ ils liuerent al eſchequer, et n
pas la ſumme totall.

Dett al Roy 2. cap. 19.

En Droyt des vic̄ ou autꝫ q̄x reſp
per lour maines al eſcheker, et queux o
reſc̄ de les dets le Roy pier le Roy q̄ ore
ou les detts le Roy m̄ auant ceux heu
& q̄ux ne ont my acquit̄ de ceo les dett
al Eſchequer. Puruieu eſt que le Roy
uoiera bones gents per toutes les count
a oier touts iceux, q̄ux de ceo plein ſe v
dront, & a termin̄ iſſint la beſoign̄, q̄ ceux q
purront mr̄er q̄ ils eient iſſint auant p
a touts iours ſent ſerront quits, le q̄l q̄
vicounts ou auters ſerront morts ou viu
en certain̄ forme q̄ lour ſerra baill̄, Et ce
q̄ iſſint nauet̄ fait, ſils ſoient en vies, ſer
punes greuem̄t. Et ſils ſoient morts, l

hei

hres reſpoigñ, & ſoiẽt charges de la dett.
commaund le roy q̃ les vicounts, et lꝰs au-
s auandits deſozmes loialment acquitẽt
dettozs a prochein accompt, puis q̃ ils
ront le dett reſceiue: & donqs ſoit le dett
ſwe al eſchequer, iſſint q̃ iãmes ne veigne
ummoñ. Et ſi le viſc auterment face, et
so ſoit ataint, cy rendza al plˀ le treble d
q̃ il auer de luy reſceiue, et ſoit rent a le
int le roy. Et vñ ſegard cheſcun vicont
eit tiel reſceiuoz, pur q̃ il voudza reſpõ=
car le roy ſe prendza del tout as viſcont,
our heires. Et ſi auter que reſpoigñ p
ain al eſchequer le face, il rendza le tre=
l plaintife, & ſoit rent en meſme le mañ.
que les viſc facent tailes a touts iceux,
paieront le det le Roy. Et q̃ la ſũmõs
hequer a touts lez dettozs, queux de=
der voudzont la vieu, facent monſtrer
denier les a nulluy, & ceo ſãz riẽ prẽds
ſwr, et ſãs rien doñ, et q̃ ne le fra, le roy
zendza a luy greuement.

¶*Forreſtes* 18. *cap.* 20.

Puruieu eſt enſement de miſfeiſozs d
es & en viuers, que ſi vl de e ſoit at=
p le ſute del plaintife, ſoient agardes
s & haut amends, ſolonques le manner
reſpas, et eit la priſonmẽt de trois ans
onqs ſoit rent a le volunt le roy, ſil ad d
poit eſtre rent, et lozs troua bon ſuer=
il iammes ne miſface. Et ſil neit dont
eſtre iſſint rent, apres la priſonment d
ans, troua meſm le ſuertie. Et ſil ne
puiſſe

reste stat est dont de male fesans en parks solement
forest, et nemy de male fesans en forest, car ceux
sont punishable per stat de foresta et nemy en autre
manner / 21. H. 7. 21. g. en trav. de malfesant parks.

puiſſe trouer la ſuerty, foꝛſuꝛ̃ la realme. [illegible]
ſi vl de ceo rette ſoit fugitiue, & neit terr
ne tenement ſuffiſant pur quoy il poit eſt
iuſtifie, ſi court come le roy auera ceo tro
p bone enqueſt, ſoit demaund de county
county. Et ſil ne veigne ſoit vtlage. Pu
uieu eſt enſement et accoꝛd, que ſi vil ne ſ
iſt deins an & le iour pur le treſpas fait
roy aña le ſuite, et ceux q̃ il troua de
retts per bone enqueſt, ſerront punes p
maner en touts points ſicome deſuis ẽ d
Et ſi vl tiel miſſeiſoꝛ ſoit attaint, quil
pꝛiſe en ſes parkes beaſts domeſtices, ou
choſe en la maner de robery en venant ou
murrant, ou en retoꝛnant, ſoit fait de l
common ley, q̃ affiert a celuy q̃ eſt attain
eyyt robery & larceny, auxibien a la ſuit
Roy come dauter.

¶VVardes 9. cap. 21.

¶En dꝛoit des terres des heires de
age, q̃x ſont en le gard lour ſeignioꝛs, p
uieu eſt, q̃ les gardens les gardent, et ſ
teinent, ſans deſtruction fait en tout r
& q̃ de tiels manners de gards ſoit fait
touts points ſolonq; ceo que eſt conteig
la grand Charter des franchiſes fait ẽ t
le Roy H. pier le roy q̃ oꝛe eſt ‡M. C.
4. 5. & 6.‡ Et qui iſſint ſoit vſe deſoꝛ
et per m̃ le maner ſoiẽt gards les Arch
meſq̃s, eueſques, abbes, eſgliſes & dign
en temps de vacation. ‡Vide articul ſuper
tas. cap. 18.

¶Wa

¶VVardes 10, 22.

Des heirs marries deins age, ſans le
de lour gardeins, auant q̄ ils auont paſ-
lage de xiiij. ans, ſoit fait ſolonq; ceo q̄
contenue in le puruciaunce de Merton
vj. Et de ceux q̄ ſerront marries ſaūs l'
de lour gardeins puis q̄ ils aueroūt
es lage de xiiij. ās, le gardein eit le dou-
value de ſon marriage, ſolonq; la tenoꝛe
eſme le puruciance. Ouſter ceo ceux q̄x
ont ſuſtret le marrage, rendant le dꝛoit
e del mariage al Gardein pur le treſ-
& ialemeins le Roy eit les amends ſo-
z meſme le purueiance de celuy que le
ſuſtreit. W. 2 cap. 35. Et des heires fe-
s, puis q̄ ils aueront accomples lage de
.ans, & le ſeignioꝛ a que le mariage ap.
celes ne voudꝛa marier. mes pur couc-
de la terre, les voudꝛa tener diſmarry.
uieu eſt que le ſeignioꝛ ne poit auer ne
r per encheſon del mariage les terres a
heires femalz ouſter deux ans apꝛes
rme de lauantdiſt xiiij. ans. Et ſi le ſeig
deins les deux ans ne les marry, don-
eiant els accion de recouerer lour he-
ge quietment ſans rien done pur l' gard
ar la mariage. Et ſi els pur malice, ou
naluois counſel ne ſe voilent pur lour
e ſeignioꝛs marier, ou els ne ſont diſ-
ges, q̄ les ſeignioꝛs teignent la terr̄ &
ritage ieſq; al age del infant male, ceſt-
oir xxi. ans & ouſter, ieſque ils eiant pꝛi
e value del mariage.

¶Dett

¶Dette. 1. Cap. 23.

¶Purueu eſt enſemēt, q̄ en citie, burg
uill, faire, ne ē marche, ne ſoit nul home
rein, q̄ ſoit de ceſt roialme, diſtreine pur d
dont il neſt dettour ou pledge, et que le f
ſerr̄ greuouſement punie, et ſans delay ſ
le diſtreſſe deliuer per les bailifes du ly
ou per auters baylyffes le Roy, ſi meſt
ſoyt.

¶Aſsiſe. 2. Cap. 24.

¶Purueu eſt enſemēt q̄ nulł eſcheto
viſc̄, nauter bayllifſe le roy per colour de
office ſaũs eſpecial gar̄ ou commaũdem
ou certaine aucthoritie que appent a ſon
fice, ne diſſeiſe nul home de ſon frankt̄, ne
choſe q̄ appent a ſon frankt̄. Et ſi aſcun
fait, ſoit a la volunte le diſſeiſie, que le
de ſon office le face amēder a ſon pleint, o
il eit la commō ley per brieſe de Nouel d
ſeiſin. Et celuy que ſerra de ceo attaint,
les dam̄ a double a meſme le pł, et ſerr̄ e
grœuous mercy le roy.

¶Champertrie. 1. Cap. 25.

¶Nul miniſter le roy, ne mainteine
luy ne per auter, les plees, ꝑols, ou beſo
nez queux ſōt en la court le roy, des ter
tenementes, ou des auters choſes, pur a
part de ceo, ou auter profit per couenāt f
Et que le fra ſoit punie a la volunte le
‡Vide Champtie. 11. E. 1.

¶Extortion. 1. Cap. 26.

¶Et que nul viſc̄, nauter miniſter k̄r
ne preigne reward pur fair̄ ſon office : n
ſoit

ſoiēt paies de ceo q̄ils pernōt vl roy. Et q̄
e fra rendra le double al pľ, et ſerra punie a
a volunt le roy.

¶Extorcion 2. cap. 27.

¶Et que nul clerke de iuſtice, deſchetor
ou vnquiror, nul riē ne preigne pur liuerer,
hapitēs forpris ſolemēt clerks des iuſtices
rrants in lour eyres, ⁊ ceo ij. s. et nient
plus de cheſcun wapentake, hundrede ou
ville, que reſpoigne per xij. ou per vj. ſolon=
que ceo que aunceintment fuit vſe. Et qui
auterment le fra, rendra le treble de ceo q̄uil
auera priſe, ⁊ perdra le ſeruice ſon ſeignior
vn an.

¶Maintenance 1. cap. 28.

Et que nul clerke le roy ne des iuſticez reſ=
ceiue deſormes preſenment del eſglis, dont
plea ou conteke ſoiet en la court le roy, ſanz
ſpecial conge le roy, et ceo defend le roy ſur
payne de perdre leſglis ⁊ ſon ſeruice. Et q̄
nul clerke de iuſtice, ne de vicount ne main=
taine parties en quarels, ne beſoigns queux
ont en la court la roy, ne fraud ne face pur
common droiture delaier ou diſturber. Et ſi
nuľ le fait, il ſerra puny per la peine ꝓchein
ment auantdit, ou per plus greinous ſi le
treſpas le requiert.

¶Diſceit 1. cap. 29.

¶Puruen eſt enſement que ſi vl ſerieāt
counter, ou auter face vl manner de diſceit,
ou de colluſion en la court le roy, ou conſent
de faire la, ē diſceit de la court, pur engin̄ la
court ou la party, ⁊ de ceo ſoit attaint, lors

‡pais‡eit la pꝛiſonm̄t dun an ⁊ vn iour, ⁊ ne ſoit oye ē la court le roy a coūt pur nulluy. Et ſi ceo ſoit aut̄ q̄ coūt ꝑ meſme le maner eit la pꝛiſon dū an et vn iour a tout le meins. Et ſi le treſpaz demād greider peine ſoit a volunt le Roy.

¶Extorcion 3. Cap. 29.

¶Et pur ceo que multz des gēts ſe plegnent des ſerieants, criours de fœ, et les marſhals des Juſtices en eyꝛe. et ‡dauters Juſtices§ quelz parnent a toꝛte deniers de ceux queux recoueront ſeiſine del terre, ou queux gaignont lour quereles, et de fine leue et des iuroꝛs, villes, pꝛiſoners, ⁊ d̄s auters attachies en plœs de la coꝛone, autérment que faire ne duiſſent, en multes des maners, et de ceo quel ad plus graund number de ceux que eſtre ne duiſt, per que le people eſt malement greue: le Roy defend, que ceſtes choſes ne ſoient deſoꝛmes faitz. Et ſi vil̄ ſerieant de fœ le face, office ſoit pꝛiſe en le maine le Roy. Et ſi marſhals des Juſtic̄ le facent, ſoient punis greuement a la volūt le Roy. Et a toutz les pleintifs lune ⁊ lauter rend̄r le treble de ceo quilz auer̄ pꝛis en cel̄ maner.

¶Tolle. 1. Cap. 30.

¶De ceux q̄ux parnont outragious tolner̄, enconter commen vſage du royalme en la ville merchandie. Purueu eſt q̄ ſi vil̄ le face en la ville le roy meſme, que ſoit bail̄ a fœ farme, le Roy pꝛendꝛa le fraunchiſe del marche en ſa maine. Et ſi ſoit auter vil̄ et

ceo

teo ſoit fait per le ſeignioꝛ de meſm̃ la ville, le roy le fra per meſme le maner. Et ſil ſoyt fait per le bailife ſans le commaundemẽt le ſeigniour, il rendꝛa al plaintif au taunt pur le outragious pꝛiſe, come il auoit pꝛiſe de luy, ſil vſt impoꝛte ſon tolne: ⁊ il auera pꝛiſon del xl. iours. Des citizens, ⁊ des burgeſ a que le roy ou ſon pere ad graunt murage pur lour villes encloſer, ⁊ que tiel murage parnent auterment que lour eſt grante, et de ceo ſoient attaintes. Purueu eſt quils perdent cel graunt de toutz le temps q̃ ſera a vener, et ſerront en le greuous mercy le Roy.

¶Purueiors. 3. cap. 31.

¶De ceux q̃ux parnẽt vitaill' ou nul riens al oeps le roy a creance, ou a garriſõ de chaſtell ou aillours, et quant ils ont reſceue le paiment al excheq̄uer, ou en Garderobe, ou aillours, deteignont le paiment des creancers, a graũd damage de eux, ⁊ en eſclaũder du Roy. Purueu eſt de ceux queux ont terres ou tenementes, que maintenaunt ſoit ceo leue de lour terres ou de lour chateux, ⁊ paies as creanſerz, oue les damages queux ilz auerõt eſwe, ⁊ ſoiẽt reints par le treſpas et ſils neient terres ne tenementes, ſoiẽt en le pꝛiſon a la volũte le roy. De ceux q̃ perñõt parte des dettes le roy, ou auters lowers pernent des creanſours le roy, pur faire le paiment de meſmes cels dettes. Purueu eſt quils rendent le double, et ſoient punis greuement a la volunte le Roy. Et de ceux

queux parnont chiuals, ou charettes a faire le cariage le roy, pluis que meſtier ſerroit, & pernōt lowers pur ‡releſſer‡ les chiuals, ou les charettez. Purueu eſt q̄ ſi vil de la court le face, il ſerra greuement chaſtice p les mareſchalles, & ſi ceo ſoit fait hors de la court, ‡p vn del court‡ ou per aut̄ q̄ de la court, & il‡ent‡ ſoit attaint, il rēdra le treble, et ſerē en le priſon le roy p xl. iours.

Countie & Tourne 3. Cap. 32.

¶ Purueu eſt, q̄ nul vic̄ ne ſuffr̄ barrettours ne maintenours des parols en coūties, ne ſeneſcalles des graundes ſeigniours, ne des aut̄s (q̄ ne ſoit atturney ſon ſeignio͏ur) a‡la‡ſuit faire, ne render les iudgemētes des countes, ne pronoūcer les iudgem̄ts ‡ou aſſent de faire les Juſticements‡ ſil ne ſoit eſpecialm̄t prie et requiſe de toutes les ſutours et les attournes des ſutours, q̄ux ſerront a la iourn̄. Et ſi vil' le face, l'roy ſe prendra greuouſm̄t a vic̄, et a luy.

Newes. 1. Cap. 33.

¶ Pur ceo q̄ plusours ſōt ſouēt troues in counte controuours des coūtes, dont diſcord, ou maner de diſcorde ad eſte ſouēt entre le roy et ſon peopl', ou ‡aſcūs d‡l's hautes homes de ſon roialme, defendu eſt pur le damage q̄ ad eſte, et que vncore ent purra auenier, que d'ſormes null' ne ſoit cy harde d dire ne d coūt null's faux nouell' ou cōtrouor, dōt diſcord ou maner d diſcord, ou diſclaund̄ puit ſurdre ētre le roy et ſō peopl', ou les hautes homes de ſon roialme. Et qui

le

le fra ſoit priſ, & detenus en priſō ieſques a tant que il eit troue en courte celuy dont la parrolle ſerra moue. §2.R-2.ca.5.‡

Arreſt. 1. Cap. 34.

¶ Des hautes homes, & de lour bailiffes & des auters (forpris les miniſters le roy, as q̃ux eſpeciall' aucthoritie eſt don̄ d̄ ceo fair̄) qui a le pleit des aſcūs, ou per lour aucthoritie demeſne, attachēt autres oue lour bn̄s treſpas paſſantes per lour poier a reſponder deuant eux des contractes, couenantes, ou de trn̄s faitz hors de lour poier, & lour iuriſdiction, la ou ilz ne teignont riens de eux, ne deins la frāūchiſe ou lour poier eſt, en p̄iudic. du roy, & de ſa corone, & a dam̄ du people Purueu eſt que null' deſormes ne le face. Et ſi aſc. le face, il rēdra a celuy, qui p cel encheſon ſerr̄ attache, ſō dam̄ au double, , & ſerr̄ ē le grieue mercy le Roy.

Reaſonable Ayde. 1. Cap. 35.

¶ Pur ceo que auant ceux heures ne fuit vnques reaſonable aid̄ a faire leigne fitz chiuall' ne a leigne file marier miſe ē certeiñ, ne quant ceo deueroit eſtre priſe, ne q̃l heure, p quoy les vns leuerēt outragious aide, & pl' toſt q̃ ne ſembleit meſtre, dont la people ſe ſentit greue: Purueu eſt que deſormes d̄ fee de chiuall' entier ſolement ſoint dones xx.s & de xx.li. de terre tenus p ſocage xx.s. & de pluis, pluis, & de meis, meins, ſolō q̃ la ſſerāt Et que nul ne puiſſe leuer tiel aide a fair ſō fitz chiualler, tāque que ſon fits ſoit del age de xv ān ne a ſa file marier tāque que el ſoit

del age de vij.ans. Et de ceo ſerra fait mention ē le brief le roy fourm̄ ſur ceo quāt hōe le voile demaunder. Et ſi aueign̄ que le pier, quant il aūa tiel eide leue de les tenantes morruſt auāt q̄l eit ſa file marie, lez executours le pier ſoiēt tenus a la file, entant cōe le pier auera reſceu pur ceſt aide. Et ſi les bn̄s le pier ne ſuffiſent, ſon heir ſoit de ē tenus a le file. ‡Glanuile fo.71.

¶Aſſiſe.3. cap.36.

¶Purueu eſt & accord enſem̄t, que ſi hom̄ ſoit attaint de diſſeiſin, fait ē temps le Roy q̄ ore eſt, ouesq̄ robbery, de aſcun maner de chattel ou de mouable, et ſoit troue vers luy per recogniſās de aſſiſe de nouel diſſeiſne, le iudgemēt ſoit tiel, que l' pl' recouera ſa ſeiſin & les dam̄, auxibien de chatel & de mouabl' auantditz, come del ſoil'. Et le diſſeiſour ſoit reint, le quel que il ſoit preſent ou nō, iſſint q̄ (ſil ſoit preſēt) primes ſoit agard a la priſon. Et per meſme le maner ſoit fait de diſſeſin fait a forē et armes, tout ne face home robbery.

¶Attaint.1. cap.37.

¶Pur ceo que aſcuns gents de la terre doutent meins faux ſerement faiē, que faire ne duiſſent, per que mults des gentes ſont diſheretes, et perdent lour droit. Purueu eſt que le roy, de ſon office, de ſormes donera attaintes ſur les inqueſtes en pl' de terre, ou de franktenement, ou de choſe que touche franktenement, quāt il ſemblera que beſoign̄ ſoit.

¶Liui-

¶Limitacion. 2. cap. 38,

Et pur ceo que le tempz eſt mulſt paſſe puis que les briefes deſouth noſmes fuerēt auterfoits limitts. Purueu eſt q̄ en count countant de diſcent en brief de droit, nul ne ſoit cy oſe de count de la ſeiſin ſon aunc̄ de plus longe ſeiſin q̄ de teps le roy R. uncle le roy Henry, pier le roy que ore eſt. Et q̄ le briefe de nouel diſſeiſin, & de purparty, q̄ eſt appell, Nuper obijt, eiēt le terme puis le primer paſſage le roy Henry, pier le roy que ore eſt en Gaſcoigne, mes nemy auāt. Et les briefs de mordaūc, de coſinage, de ayel, de entre, et briefe de neifrie, eiant le terme del coronement meſm̄ le roy Henry, & nemy auant. Mes q̄ touts les briefes ore a p meſm̄ purchaſes, ou a purchaſer, enc cy et la feaſt Saint John en un an, ſoient pleds du teps q̄ auāt ſollent eſtē pleads.

¶Voucher 2. cap. 39.

¶Pur ceo que mults des gents ſont delaies de lour droit, p fauxmt voucher a garranty: Purueu eſt q̄ en briefs de poſſ. tout adeprimes come en briefe de mordaunc, coſinage, del aiel, nuper obiit, de intruſion & auts briefs ſemblables, p les queux terr̄ ou tenements ſont demaunds q̄r deuoient diſcēd reuerter, remainder, ou eſchier per mortdāc ou dauter, que ſi le tenaunt bouche a garrant, et le demaundant luy counterpled, & voile auerrer per aſſiſe, ou per pais, ou en auter maner, ſi come le court le roy agarde, q̄ le tenant ou ſon aunc̄ q̄ heire il eſt, fuit le

[illegible] priſt bon counterplet [illegible] q̄ ſon [illegible] fuit [illegible] q̄ abate. [illegible] .178. [illegible]

primer qui entra apres la mort celuy de 'qui ſeiſin il demaunde, ſoit le auerremẽt del demaund reſceu, ſi le tenant le voil attend, et ſinon, ſoit vote ouſter a auter reſpõs ſil neit ſon garrãty en preſẽt, qui luy voile garrãter de ſon gree, & maintenant entrer en reſpons, ſaue al demaũdant ſes exceptionz encounter luy, ſil voile voucher ouſter, come il auoit auaũt, encounter le primer tenant. De rechiefe en toutz maners des briefez dentre, q̃ux font mentiõ des degrees, purueu ‡eſt‡ q̃ nul de formes vouche hors d la line. Et en auters briefes dentre, ou nul mention ẽ fait de degrees, les q̃ux briefes ne ſont ſuſtenus, forſq̃ la ou les auantditz briefez de degrees ne poiẽt giſer ne lieu tener, & en brẽ de droit Purueu eſt que ſi le tenant vouche a garrãtie, & le demaund le voile coũterpled, & ſoit priſt de auerrer per pais, que celui qui eſt vouche a garrant, ‡ne nul‡ de ſes aunceſters ne vnques auoient ſeiſin de la terre, ou del teñ demaund, ne fee, ne ſeruice per la maine le tenant, ou ‡aſcun‡ de ſes aunceſters, puis le temps celuy de q̃ ſeiſin le demañd counte ieſques al temps q̃ le briefe fuit purchaſe & plee moue, per q̃ il poit le tenant ou ſez aunceſters aũ feffe. A donques ſoit lauerremẽt del demañd reſceu, ſi le tenant le voit attender, & ſinon, ſoit le tenant vote ouſter a aut reſpons, ſil neit ſon garrantor ẽ preſent, qui luy voile garranter de ſon gree et maintenant enter en reſpons, ſalue al demaund ſez excep̃ encounter luy, ſicome il auoit auaũt

encounter

rcouſter le pimer tenant. Et lauantdit ex=
ption eit lieu en bre de mortdaūc, & en les
iters briefes deuaūt noſmes, auxibien cōe
briefes queux touchent droit. Et ſi le te=
nt per cas eit charter de garranty de aut
me de ceo choſe, ‡ q ſoit oblige en nul des
aūt ditz caſes a le garraty de ſō eign de=
ce, ſaue luy ſoit ſon recouer per briefe de
re de charter de le chauncell le roy, quant
le voudra purchaſer, mes q̄ le plee ne ſoit
r ceo delay.

¶Battaile and graund Aſſiſe. 1. Cap. 40.

De ferementz dez champions, eſt iſſint
rueu: Pur ceo q̄ rarement auient que le
ampion le demaundant ne ſoit periure en
quil iure que il ou ſon pier viſt la ſeiſin
ſeigniour, ou de ſon aunceſtour, & que ſō
re luy commaūd a faire la darreign, q̄ de=
mes ne ſoit le champion le demaūdāt cō=
eint a ceo iurer, mes ſoit le feremēt gard
touts ſez auters points.

¶Eſſoine. 3. Cap. 41.

Pur ceo que en briefe daſſiſe, dattaints,
iuris vtrum, les iurrorz ſont ſouēt tra=
s per eſſoines des tenāts: Puruen eſt q̄
heure q̄ le tenant vn foites apparuſt en
rt iames ne puiſſe ‡ le tenāt ‡ ſe eſſoin,
s fair ſō atturney a ſuer pur luy, ſil voit.
non ſoit laſſiſe, ou le iury p̄le per ſon
volt ‡ W. 2. ca. 28.

¶Eſſoine. 4. Cap. 42.

Pur ceo q̄ les demaūd ſont ſouent de=
s de tout droit, pur ceo que ou ſont plu=
ſours

ſloꝛs parceners tenātes, dont nul puit re
poigñ ſauns aut, ou q̄l ad pluſours tenan
iointment feoffes, ou nul ne ſciet ſō ſeuer
& ceux tenantz ſouēt foꝛchiēt p̲ eſſoiñ, iſſi
q̄ cheſcun eit vn eſſoine. Purueu eſt deſo
mes, que ceux tenaunts neiēt eſſoiñ, foꝛſq
a vn iour, nient pluis que vn ſole tenāt n
aueroit, iſſint q̄ iammes ne puiſſent foꝛch
foꝛſq̃ tantſolement auer vn eſſoine.

¶Eſſoine.5. Cap.43.

¶Pur ceo que multes des gentes ſe fo
fauxemt̄ eſſoine de ouſtre mere, la ou ilz fu
rent en Engleterre le iour de le ſummon
Puruien eſt deſoꝛmes, que cel eſſoim̄ ne ſ
pas de tout allow, ſi le demaundant le ch
lenge, & ſoit pꝛiſt dauerrer quil fuit en E
gleterre le iour q̄ le ſūmons fuiſt fait, & i
ſemaignes apꝛes, mes ſoit aiourñ en c
foꝛme, que ſi l' demaund ſue a tiel iour au
ſt̄t p̲ pais, ou ſi com̄ la court le roy agar
& ſoit attaint q̄ le tenant fuiſt deins le qu
meres ‡ Dengleterre ‡ le iour q̄ il fuit ſom̄
trois ſemaynez apꝛez, iſſint que il puit eſ
reaſonablemt̄ garny de ſla ‡ ſūmōz, ſoit l
ſoiñ tuꝛne en vn defaut, & ceo fait a ente
tantſolemt̄ deuaūt les Juſtices le roy.

Eſtreytes.1. Cap.44.

¶De delaies en touts manerz dez bꝛief
& des attachementz eſt puruien, q̄ ſi le ten
ou le defendant, apꝛes le pꝛim̄ attacheme
teſmoigñ, face defaut mainteñ ſoit le gra
diſtr̄ agard. Et ſi diſt ne reſpoigñ ſuffici
ment au iour, ſoit greuouſemēt amercy.

l maund que il ad fait lexecution ẽ due maner, & lez iſſues bailles as mainpnours, adõques ſoit maũde au vic. que il al auter iour ice venir l's iſſues deuãt iuſtices. Et ſi latachee veigñ a ẽ iour a ſaueẽ ſes defauk, eit ſes iſſues. Et ſil ne veigñ, eit le roy les iſſues. Et les Juſtices le roy les facent liuerer a la garderobe, et Juſtices del banke a Weſtm̃ les facent liuerer al eſchequer, & iuſtices en eire, au vic. de celk county ou ils ſedent, auxibien de cel countie come des foreine counties, & de ceo ſoient charges ẽ ſõmons per rolles de Juſtices.

¶Iuſtices of both benches. 1. cap. 45.

Puruceu eſt enſemẽt, & per le roy commaunde, que les Juſtices de banke le roy et Juſtices de bank at Weſtminſter deſormes pledant les plees a terminer vn iour, auaunt que rien ſoit arraine, ou commence lez pleez del iour enſuant forſpris q̃ lour eſſoigñ ſoient entrees, iudges, et rendus, et per encheſon de ceo nul home ſe affie, que il ne veigne au iour q̃ doñ luy eſt.

¶Age. 1. cap. 46.

Puruen eſt enſement, que ſi vl deſorres purchaſe brief de nouel diſſeiſin, & celuy que le brief viẽt, come principal diſſeiſor deſpurge auaunt que laſſiſe ſoit paſſe, que le pleintif eit ſon briefe Dentre foundus ſur diſſeiſin ſur le heire ou ſur les heires les diſſeiſors, de q̃ age que ils ſoient. En m̃ le maner le heir, ou l'z heires le diſſeiſie lour brẽs dentre ſur les diſſeiſours & lour aũceſtẽ, ou lour

lour heires, de quel age ꝗlz ſoiēt. Et ſi pare
uenture le diſſeiſie mourge auant quel e
ſon purchaſe fait, iſſint que pur les nonage
des heires dun part ne dauter ne ſoit le b
abatus, ne le plee delaye, mes en quaunt q
lhom̄ poit ſans ley offend̄, ſoit haſte par
freſh ſuit ap̄s le diſſeiſin. Et ē m̄ le man̄ ſo
ē ceo point gard̄ ē dr̄t d̄ p̄lates, gētz de rel
gion, & auters, as q̄ux terres & tēntez en n
maner puiſſent deuener ap̄z aut moꝛt; le
que ilz ſoient diſſeiſies, ou diſſeiſourz. Et
les parties en pledant diſcendont en enqu
& lenqueſt paſſa encounter le heire deinz a
& noſmement encounter le heire le diſſeiſie
il ē ceo cas eit latteint de la grace le roy
rien doner.

Prochine amy. 1. cap. 47.

¶ Si garden ou chiefe ſeigniour enfeffe
hom̄ de la terre que eſt del heritage del ē
(qui eſt deins age & en ſa gard̄) a le diſhe
tance del heire: Purueu eſt, que le heir e
maintenant ſon recouere per bꝛiefe de no
diſſeiſine vers ſon gardein, & vers le ten
Et ſoit la ſeiſine baill' p̄ Juſtices, (ſi el ſ
recouer̄) al pꝛochein amye lēfāt, a que le h
ritage ne purra my diſcend̄, pur appꝛouer
oeps lenfant. & a reſponder dez iſſues al h
quant il viendꝛa a ſon plein age. Et le ga
parde a tout ſa vie la gard̄ de m̄ le ch
recouer̄, & tout la rem̄ del heritage, q̄l tien
noſme del heire. Et ſi aut gardein q̄ chy
ſeigniour le face, parde le garde de tout
thoſe ſa cel foitz & ſoit ē grieue paine eu

... Et ſi lenfãt ſoit eſloigne, ou diſturbe
ir le gardeine, ou per le feoffee, ou per aut
r q̃ il ne puiſſe ſa aſſiſe ſuer, ſue pur luy
i d ſes pcheiñ amies qui voudra, et ſoit a
o reſceue; W.2.ca.15.

¶Dower.2. Cap.48.

¶En brief d dower dõt dame riens nad
ſoit le brief abatus p exception dl tenant
ur ceo q̃l auera reſceue ſõ dower d auter
e auãt ſõ brief purchaſe, ſil ne puit mon=
e que el eit reſceu part d ſa dower de luy
ſme, et ẽ meſme la ville auant ſon briefe
r chaſe.

Prærogatiua regis. Cap.49.

¶Et pur ceo que l'roy ad fait tel choſe al
nour d dieu, et ſaint eſgliſe, et pur le cõ=
pfitt d people, et pur l'allegeãce d ceux
x ſont greues, il ne voit my que auxfoitz
iſſẽt turner a piudice de luy, ne de ſa co=
e, mes q̃ les droits, qui a luy appteigñ luy
ent ſaues en toutz pointes.

Aſsiſe.4. Cap.50.

¶Et pur ceo q̃ graund charitie ſert de
re droit a touts en tout temps, ou meſtre
roit: Purueu eſt per aſſentment des pre=
es, que aſſiſes de nouel diſſeiſin, mordañ=
er, et de darrein preſentmẽt fuiſſẽt priſez
le Aduẽt en Septuageſime, & ẽ quareſm
uxbien com̃ le homes prent lenqueſtes.

& ceo pria le Roy as
Eueſques.

Explicit ſtatut de VVeſtm̃ primer.

¶Stat̃ de Bigamis, editum Ann̄ iiij. *Edwardi primi.*

IN præſentia venerabilium pr̄m qu
rundam epiſcoporum Angl̄, & ali
rum de conſilio regis, recitatæ fu
runt conſtitutiones ſubſcriptæ,
poſtmodum coram domino rege
conſilio ſuo auditæ & publicatæ, q
omnes de conſilio tam iuſtic', quam alij concor
uerunt quod in ſcripturam redigerentur ad per
tuam memoriam, & quod firmiter obſeruentur.

¶*Ayde de Roy.* 1. *cap.* 1.

¶De placitis vbi tenens excipit, quod ſine R
reſpondere non poſſit, concordatum eſt per iu
& alios ſapientes de conſilio regni Domini re
qui conſuetudines & vſum iudiciorum hacte
habuerunt, quod vbi feoffamentum factum fu
per regem, & charta ſup hoc inconfecta tm̄ ſe ‡
beat‡ quod ſi alia perſona per conſimile feoffa
tum & conſimilem chartam teneret ad warra
iuſtic' vlterius procedere nō potuerunt, nec huc
que proceſſerunt, niſi ſup hoc preceptum a rege
buerint, nec videre ‡poſſunt‡ ꝙ procedere poſ

Ayde de Roy. 2. *cap.* 2.

¶In certis autem caſibus, vtpote vbi
confirmauerit, vel ratificauerit factum al
ius in rem alienam, vel rem aliquam al
conceſſerit, quantum in ipſo eſt, vel vbi ch
profertur, quod Rex tenem̄ aliquod reddid

: clauſula aliqua in ea contineatur, per quã war- tizare debeat, & in conſimilibus caſibus, non e- ſuperſedend' occaſione confirmationis, ratifica- nis, conceſsionis, ſeu redditionis, aut aliorum cõ- ilium, quin poſtquam hoc reg: fuerit oſtenſ. ſi- dilatione procedatur.

¶*Ayde de Roy.3. cap.1.*

De dotibus mulierum vbi aliqui cuſtodes he- tatum maritorum ſuorum cuſtodias habent ex o vel conceſsione regis, ſiue cuſtodes rem peti- teneant, ſiue heredes dictorum tenementorũ entur ad warrant̃, ſi excipiant, quod ſine Rege ondere non poſſint, non ideo ſuperſedeatur, loquela prædicta prout iuſtum fuerit, proce- ur.

¶*Purpreſture.1. cap.4.*

De purpreſturis, ſeu occupationibus quibuſ- que factis ſuper regem ſiue in libertatibus, ſiue , concordatum eſt quod tempore regis H. diſ- erat & concordat̃, quod vbi occupatores ſu- tites fuerint, Rex de plano reſumat ‡ſibi‡ rem er occupatam de manibus occupantium, quod n de cetero in regno obſeruetur. Et ſi aliquis uiuſmodi reſumptionibus conqueratur, prout m fuerit audiatur.

¶*Clergie.1. cap.5.*

De bigamis quos Dominus Papa in con- ſuo Lugdunenſi omni priuelegio clerica- uauit, per conſtitutionem inde æditam, & quidam Prælati illos qui effecti fuerant Biga-

qnt Roy grt office de keep de Woodstock [illegible] al vn [illegible] (non obstante) [illegible] in [illegible] office [illegible] Roy, [illegible] [illegible] copulative [illegible] Reporter 2. H. 7: 8: a.

Bigami ante predictam conſtitutionem, quando i felonia rectati fuerunt, tãquam clericos exigeru ſibi deliberandos, concordatum eſt & declaratũ ram rege & conſilio ſuo, ꝙ conſtitutio illa intel genda ſitꝙ ſiue effecti fuerint bigami ſante ſ pr dictam conſtitutionem, ſiue poſt, de cetero nõ lil renẽ prelatis, immo fiat eis iuſticia ſicut de laicis.

voucher. 6. *cap*. 6.

¶In chartis autem vbi continentur (dedi conceſſi tale tenementum ſine homagio, vel ſ clauſula que continet warrantiam, & tenend' donatoribus & hered' ſuis ꝑ certum ſeruicium, cordatum eſt ꝑ eoſdẽ iuſticiar̃ quod donatores heredes ſui teneantur ad warrantiam, Vbi aut continetur (dedi & conceſsi) &c. tenend de capitalibus dominis feodi, aut de alijs quam feoffatoribus vel heredibus ſuis, nullo ſeruitio retento, ſine homagio, vel ſine dicta claſula ‡w rantiæ, heredes ſui non teneantur ad warrantia Ipſe tamen feoffator in vita ſua ratione doni p prij tenet̃ warrantizare. Prædictæ autem conſti tiones editæ fuerunt apud weſtmonaſteriu in parliamento poſt feſtum ſancti Michaelis. Anno regni regis E. filij regis H. iiij. & extunc locum habeat.

Explicit ſtatut̃ de bigamis.

C An du grace M. CC.lxvij. & del
raign l'roy E. fitz l'roy Henry vi.
a Glocester le mois daugust, pur-
ue ante m̄ le roy, pur amendement
e ſon roialme, & pur pluis pleiner exhibi-
on de droit ſicome le profit doffice demañ-
e, appelles les pluis diſcretes de ſon roy-
me, auxibien des griendͤs come des mein-
rs, establie est et concordantm̄t ordeine,
e come meſme le roialme en pluſours di-
rs caſes, auxibien des fraunchiſes come
uters choſes, en les q̄ls ley auant faillit,
a eſchuer les treſgreues damages et les
ent numerables diſheriſōs, les quels icel
ner defaut de ley fiſt a la gent du roialme
meſtier de diuers ſuppletions de ley, et
nouels purueiances: les estatutes, or-
inments et purueiances ſuis eſcripts de
ut la gēt de la roialme deſormes ſoiēt fir-
ment gardes, come prelates, coūties, ba-
s, et auts del royalme claimēt dauer diūs
unchiſes, et les q̄ls examiñ et iudger̄, le
y a meſmes les prelates, counties, barons
auter̄, auoit done iour. Purueu est et cō-
dantment graunte, que les auauntdites
lates, counties, barones et auter̄, ēl ma-
e de fraunchiſe vſent, iſſint q̄ rien ne lour
reſe per vſurpation, ou occupation, ne
n ſur le roy occupiēt, ieſq; al p̄chein ve-
e le roy per le countie, ou a la procheyne

 venue

benue des Juſtices errants,as cõmon plee en meſme le countie, ou ieſques le roy con maunde auter choſe,ſaue le dꝛoit le roy co il en boudꝛa parler,ſolonq; ceo que il eit cõ tenue en le bꝛ̃ le roy. Et de ceo ſoient maũ des bꝛiefes as biſcountes, bayllifes ⁊ aut pur cheſcun demandant. Et ſoit la foꝛm d bꝛiefe change,ſolonq; la diuerſitie des frar chiſes,les quels cheſcũ claime dauer.Et l biſcountes per toutes lour baillies ferror communement crier, ceſtaſſauoir en cytye burghes, ⁊ billes merchandes,⁊ aillours touts ceux q̃ aſcuns franchiſes claiment a per les charters les pꝛedeceſſours le Ro royes Dẽgleterre, ou en auter maner, ſoi deuant le roy,ou deuant Juſtices en eyer certaine iour ⁊ lieu,a monſtrer quel mann de franchiſes ils claiment dauer, ⁊ per qu garrãt.Et les biſconts meſmes donq; ſe ront illonq; perſonalment, ou lour baillif ⁊ miniſters a certifier le roye ſur les auan ditʒ franchiſeʒ, ⁊ auters choſes que cell franchiſes touchent.Et ceſt crie deſtr̃ deu le roy conteigne garniſement de iiij .ſemai nes.Et en meſme le maner ferront les bi countes crier en oyer de Juſtices. Et en le manner ferront ils perſonalment,ou lo bayliffes ⁊ lour miniſters, a certifyer l Juſtices de tiel manner de fraunchiſeʒ, des auters choſes que celles frãchiſes to chent.Et ceſt crie conteigne garniſement quarãte iours, ſic come le common ſummi cõtient:iſſint que ſi la party que claime de frar

ranchiſes, ſoit deuãt le roy, ne ſoit pas mis
n defaut deuant les Juſtices en eyer, pur
eo que le roy de ſa grace eſpecial ad grãut
ue il gardera la party de damage, quãt a
el aiournemẽt. Et ſi cel party ſoit empled
ar tiels maners de fraunchiſes deuant vn
aier de iuſtices auãtdits, meſmes les iuſ=
ces deuant lez q̃ux la party eſt en ple, gar=
erent le ꝑty de damage deuant auters iuſ=
ces, & deuant le roy luy meſme, meſque il
iche p les iuſtices, q̃ le ꝑty fuit en plee de=
ant eux ſicome il eſt auantdit. Et ſi ceux q̃
els frãchiſes claimẽt auer, ne veignẽt pas
iour auantdit, donq̧ ſoiẽt les frãuchiſes
n noſme de diſtreſſe priſes en la main le roy
ar le viſcoũt del lieu, iſſint q̃ls tiel maner
e franchiſes ne vſẽt, ieſq̧ ilz veigner a re=
uer droit. Et quant ilz veignent p cel diſ=
eſſe, lour frãchiſes eux ſoiẽt repleuies ſilz
s demaũd, les quels repleuies reſpoignẽt
aintenãt en la forme auantdit. Et parad=
ture les parties exceptẽt, q̃ls ne debuiẽt=
ent d̃ reſpond ſans vre original, dõq̧ ſil
uiſſe eſtre ſuer q̃ eux de lour proper fayt,
ent vſurpe ou occupie aſcũs frãchiſes ſur
roy, ou ſur ſes predeceſſours, dit lour ſoit
maintenant reſpoignẽt ſans brieſe, & puis
ſceiuent iudgement, ſicome le court le roy
ardera. Et ſils diont ouſter, que lour aun=
ter ou lour aũceſters de meſmes les frã=
iſes moront ſeiſies, ſoyent oyes, & main=
nant ſoyt le veritie enquiſe, & ſolonq̧ ceo
lent les auant en le beſoigne. Et ſil ſoyt

troue q̄ lour aūceſter ent moruſt ſeiſe:dōq
ept le roy brief original de ſa Chaūcery e
fourme fait de ceo : Le roy maund ſalute a
viſcount, ſummones per bone ſummontor
vn tiel, que il ſoit deuant nous a tiel lieu e
noſtre prochein venue en cel countie, ou de
uant nous Juſtices a primer aſſiſes, con
ils ẽ cels parties viendront, a monſtrer pa
quel graunt il claime dauer quitance d tor
pur ſoy ou pur ſez homez p tout noſtr̃ roy
alme p cōtinuacion apres la mort tiel iad
ſon predeceſſour. Et aits les ſummonour
& ceo brẽ. Et ſi les parties veignont al iou
reſpoignent, & ſoit replie & iudge. Et ſils
veignent ne ſoy eſloinẽt deuant le roy, & ſi
roy demurra ouſter en cel countie, ſoit ci
maud au viſcont quil le face vener al qua
iour. A q̄l iour ſils ne veignent, & l'roy de
murẽ ouſter en cel countie, ſoit fait ſicome
eyre d Juſtices. Et ſi le roy depart del cou
tie, ſoient les parties aiornes a brief iour,
eient reaſonables delayes, iuxte l's diſcrec
ons des iuſtices, ſicōe en acciōs pſonall. E
les Juſtices en eire facẽt de ceo, en lour o
ers ſolonqȝ lordeinment auauntdit, & ſolō
ceo q̄ tiel mañ d plæs debuient eſtr̃ deduc
En oier de plaints faits & affaires des ba
lies l'roy & dauterz baillifs, ſoit fait ſolon
lordeinment auant fait de ceo, & ſolonqȝ le
enqueſtes de ceo auant priſez, & d ceo ſerr
les iuſtices en eyre ſolonqȝ ceo q̄ le roy lou
ad ẽioint, & ſolonqȝ les articles q̄ le roy lou
ad liuere. §Vide tout ceo ẽ latin plz playi

30.(

).C.1 leſtatute de quo warranto tit fran-
iſes 5.

¶Dam 1. cap. 1.

¶Come auant ſez heures damages ne
ſeront agards en aſſiſe de nouel diſſeiſin
[fo]rſq; tantſolement vs les diſſeiſors. Pur-
u eſt, que ſy les diſſeiſors aliont les tene-
ents & neient dont les damages puiſſent
re leuies, que ceux a que maines ceux te-
ments deuiendront, ſoient charges des
mages, iſſint que cheſcun reſpoigñ de ſon
mps, Purueu eſt enſement, que le diſſeiſe
couerẽ damages en briefe dentre foundue
r diſſeiſin, vers celuy que eſt troue tenant
res le diſſeiſor. Purvieu eſt enſement que
ou auant les hueres damages ne fueront
ardes en ple de mordauncestor, forſquez ẽ
ſe ou tenements fueront recouerers deuãs
iefes ſeigniors & ceo fuiſt p ſtatut Marlb.
p. 16. & que deſormes damages ſoiẽt agar-
s en touts caſes, ou home recouer per aſ-
e de mordauncestor, ſicome eſt auantdit en
ſiſe de nouel diſſeiſin. Et en meſme le
aner recẽ home damage en briefe de Coſ-
ige, Ayel, & Beſaiel. Et la ou auant ſes
urs damages ne fueront taxes, forques a
value des iſſues de la terre: Purvieu eſt
le demaund puit recẽ vers le tenãt les coſ-
ges de ſon briefe purchaſe, enſemblement
eſq; les damages auantdits, Et tout ceo
it tenus en touts caſes, ou home recouer
mages. Et ſoit deſormes cheſcun tenus a
nder damages, la ou home recouer vers

Dier 370 pl. 61. [illegible]

Art encountre le generalte del [illegible]

[illegible] fo. 153 [illegible] Co. 104 [illegible]

luy de ſa intruſion demeſne, ou de ſon fay
demeſne.

¶ Age.2. Cap.2.

¶ Si enfant deyns age ſoit tenus hors d
ſon heritage apres la mort ſon pier, coſin, ai
eſ ou beſaiel, per que il couiẽt quil purchac
briefe, & ſon aduerſarie veigne en court, & e
reſpoignant alledge feoffement, ou aut choſ
dit, per que Juſtices agardent lenqueſt, l
ou lenqueſt fuit delaye ieſq; al age lenfant
ſi paſſa ore lenqueſt auxi come il fuit de plei
age.

VVarrantie.1. Cap.3.

¶ Eſtablie eſt enſemt, que ſi home alye
tenemẽt, que il tient per le ley Dengleterr
ſon fitz ne ſoit pas forbarre per le fayt ſo
pier (de que nul heritage luy deſcend) a de
mãder & recouerer per briefe de Mort daũ
ceſter de la ſeiſin ſa mier, tout face le cha
ter ſon pier mencion que luy et ſes heire
ſont tenus a la garẽ. Et ſi heritage luy de
cend de part ſon pier, dõq̃s ſoit il forcloſe
le value del heritage, q̃ luy eſt deſcendus. E
ſi en tiel caſe apres la mort ſõ pier, heritag
luy ſoit deſcendus per meſme le pier, donq̃
auera le tenãt vers luy recouery de la ſeiſ
ſa mier, per briefe de iudgement que iſſe
hors de rolles des iuſtices, deuant queux
plee fuit pleade, a reſom ſõ garrantie, ſi con
auant ad eſter fait en auters caſes, ou le ga
rantie vient en court, & dit que riens ne lu
eſt deſcend de luy per q̃ fait il eſt vouch. E
en meſme le manner eyt liſſue le fitz recou
p

· Equitie · dont en tayle ·
Si le garr ſoit plede en barr dez aſſetz, lou il nad pas aſſetz mes apres aſſetz deſcend al iſſue, la le tenant avera ſcire facias pur aver laſſetz et nemy le tene tayle · pur le perpetuall barr. M. 11. H. 4. 21. Brooke Scire facias · 17 · 74 · et 130 · 2 M. f. 110 · Ploy. Com ·

er brieſe de Coſinage, Ayel, & beſaiel. Enſement & en meſm̄ le maner ne ſoit lheire la femme apres la mort le pier & la mier, bar̄ accion a demaund̄ le heritage ſa mier per briefe Dentre, que ſō piet en temps ſa mier aliena, dont nul ſiñ neſt leue en court le roy.

¶ Ceſſauit. 1. cap. 4.

Enſement ſi home leſſe ſa terre a ferm̄, ou a trouer eſtouers en viuer, ou en veſture amount a la quart part de la veray value de la t̄re, & celuy q̄ la terr̄ tient illint charge la leſſeſt giſer freſhe, illint q̄ home ne puit trouer diſtreſſe p deux ans, ou per trois, a faire le ferme render, ou a faire ceo q̄ eſt cō=tenue en leſcript ou leas: eſtablie eſt q̄ aprez ces deux ans paſſes eit le leſſour action a de=maunder la terr̄ en deueign̄ per briefe q̄il a=uera en la chaūcery. Et ſi celuy, vers que la terre eſt demaūd, veign̄ auaūt iudgemēt, et rend̄ les arrerages & lez dam̄, & troua ſuerty tiel cōe la court verra q̄ ſoit ſuffiſāt a rend̄ en apꝫ ‡ ſolonqꝫ ‡ ceo q̄ eſt cōtenue en leſcript ou leas, ſi reteign̄ la t̄re. Et ſil demurr̄ tan=que ele ſoit recouer per iudgemēt, ſoit il for=cloſe a remenāt. ‡ W. 2. capitulo 21. et capi=tulo 41.

¶ VVaſte. 4. Cap. 5.

Enſemēt eſt purvieu, q̄ home eit deſor=mes br̄ de waſt en le chācery v̄s hōe q̄ tient per le ley Dengletre, ou en auter maner a terme de vie, ou des ans, ou feme q̄ tient en dower. Et celuy q̄ ſerr attaint de waſt, p de

lechoſe que il auer̄ waſte: et ouſter ceo fac
gree del treble de ceo q̄ le waſt ſer̄ taxe. Et
en waſt fait en gard̄, ſoit fait ſolōq; ceo qu
contenu eſt en la graūd charter cap. quarto
Et per la ou il eſt contenu en la graund chr̄
que celuy q̄ auer̄ fait waſt en gard̄, pard̄ l
gard̄, accoꝛd eſt, quel rendꝛa al heire lez dam
del waſte ſi iſſint ſoit q̄ la gard̄ ꝑdue ne ſuf-
fiſt mie a le value des dam̄,, auaunt lage de
heiſe de m̄ le gard̄. ‡ W. 1. ca. 21. articuli ſu
cart. cap. 18.

¶Martdaunceſter. 1 Cap. 6.

Purueu eſt enſement q̄ ſi home murge
& eit pluſours heires, dont lū eſt fits ou fi
frere ou ſoer, neueu on niece, & les auts ſon
en plus long degree, touts les heirez deſoꝛ-
mes eient recouere per bꝛiefe de moꝛt daun-
ceſtour.

¶Entre. 2. Cap. 7.

Enſement ſi feme vend̄, ou done en fee
ou a terme de vie, teñt q̄ ele tient en dower
eſtably eſt q̄ le heir̄, ou aut, a qui la ter̄ de-
ueroit reuert ap̄s le deceſſe la fem̄, eit main-
tenant ſon recoūe per bꝛiefe dent, fait de ce
en la chauncery.

¶Treſpas. 1. Cap. 8.

Purueu eſt enſement q̄ les viſcōtz plei
en counties lez plees de treſpas, auxi cōe il-
ſoilent eſtre pledes. Et q̄ nul neit deſoꝛme
bꝛiefes de treſpas deuāt Juſtices, ſil ne af-
firme per ſoy, q̄ les biens empoꝛtes bailent
xl. s. al meins. Et ſil ſe pleint de batery, af-
firme per foy q̄ ſa pleint eſt veritable. Des
plaies

v̄d na: 6r61

pies,et des maihemes, eit home briefe ſi=
ce home ſoleit auer. Et graunt eſt,q̃ les
dend puiſſēt fair attornies en tiels plæs,
appell' ne giſt mie,iſſint que ſils ſoiēt at=
ts‡du treſpas‡en lour abſence,ſoit mād
iſt,q̃ ils ſoient priſes,et eient adōq̃s la
i, q̃ ils aueront,ſils vſſēt eſtre preſentez
le iudgemt fuit rendus.Et ſi les plein=
s deſormes en tiel trñs ſe facent eſſoine
la prim̃ apparance,ſoit iour done ieſq̃s
venne des iuſtices errants,& lez defend
ementiers ſoient en peac̃ ē tielx plæz, &
uters plæs,ou attachemēts & diſtr̃ gi=
.Si le defend ſe face eſſoiñ del ſeruice le
,et ne port ſon garrāt au iour q̃ doñ luy
er ſon eſſoiñ,eſtable eſt que il rendra al
es damages de la tourne de xx.s. ou de
is,ſolonq; le diſcret dez iuſtices, & iade=
ns ſoit en le grive mercy le roy.

¶ Pardon.1. Chap.9.

Purveieu eſt enſement,que nul briefe ne
eſormes de le chauncer̃ pur mort d hōe
querer ſi home occiſt aut per miſaduen=
,ou ſoy defēd,ou en aut mañ pur feloñ,
celuy ſoit en priſon ieſques al venue
iuſtices errāts ou aſſigñ a goal' deliuer̃
miſt en pais deuāt eux d bñ & male. Et
it troue p pais q̃ il le fiſt ſoy defendant
miſaduent,donq̃s fra les iuſtices aſſa=
au roy,& l' roy luy en fra ſa grace ſi luy
‡W.1.ca.11.‡Purvieu eſt enſement q̃
appell' ſoit abatue ſi legiermt cōe auaūt
ſte mes ſi lappellour counte le fait lañ
le iour

le iour, le heure, le tẽps le roy, ⁊ la vill' ou fait fuiſt fait, ⁊ de quel arme il fuiſt occiſe, eſtoia lappell', ⁊ iãmes ne ſoit lappell' aba p defaut de freſhſuit puis q̃ hõe ſue dedein lan ⁊ le iour apres le fait.

¶Eſſoine.7. cap.10.

¶Come il ſoit contenue en leſtatute le r q̃ ore eſt ‡W.1.cap.42.‡que deux parcene ou deux queux teigne en comen, ne puiſſe forcher per eſſoine, del heure quils ount ſoits apparus en count. Purueu eſt q̃ me me ceo ſoit tenus et gard, per la ou home ſa feme ſont enpledes en la court le roy.

¶ Diſceipt.1. cap.11.

¶Purueu eſt enſement, q̃ ſi home bai en la citie de Londrez ſon tenement a ter des ans, ⁊ celuy a que le franktenement e ſe face enpled per colluſion, ⁊ face def. a def. ou veigne en court, ⁊ la voile rend p faire le termour perdre ſõ term̃, ⁊ le dem eit querele, iſſint q̃ le termour puiſſe au couere p briefe de couenant, le maior et baillifes puiſſent enquirer per bone viſn̄ la preſence del termour, ⁊ del demaunda le quel le demaũdant moueſt ſon plœ p b droit quel auoit, ou per colluſiõ ⁊ per fra pur faire le termour pard ſon terme. E troue ſoit per inqueſt, q̃ le demandant m ueſt ſon ple per bone droit quel auoit, ſi l le iudgement parforme maintenant. E troue ſoit per inq̃ſt, q̃ il luy empleda p fra pur toller le termour ſon terme, ſi demu le termour en ſõ t̃me, ⁊ lexecut̃ del iudge

c̃ stat westm̄ al 5 [illegible], 1 [illegible] fans [illegible] 2, stat westm̄ al [illegible], forsq [illegible] defalt. 3, [illegible] not retur, il not remedy [illegible] stat. 4, [illegible] westm̄ al [illegible] stat [illegible] ou [illegible] al gardein: [illegible] touts [illegible] sont remedy [illegible] stat 2. 4. 8: ca: 15. forsq [illegible] del gardein: Inst: 46, a.

ir le demaundant ſoit ſuſpendus, ieſques
ꝛes le terme paſſe. Et en meſme le maner
it fait de equitie en tiel caſe deuant Juſ=
ces, ſi le termour le challenge deuāt iudge=
ent rendus.

¶ Voucher. 5. cap. 12.

Purueu eſt enſement que ſi home ſoyt
plede de tenement en m̄ la citie, ⁊ vouche
ciñ a garrantie, ql veign en la chauncery
it briefe de som̄ ſon garrant a cert iour
uant Juſtices du banke, ⁊ vn aut bře au
ioꝛ ⁊ as baillifes, que ils ſurceſſent en le
rol que eſt deuant eux per briefe, ieſques
ant que le parol de le garrantie ſerra ter=
ne deuant Juſtices du banke. Et qn̄t le
rol de la garrantie ſerra termine deuant
uſtices de bank, donqȝ ſerra dit au garř q̄
veign en la city de Lond a reſpoign̄ ď chief
.Et le dant p ſa ſuit eit bř de Juſtices
banke au maioꝛ ⁊ as baillifs, qls voilent
ant en le plee. Et ſi le ďant recoū verȝ le
ant, veign le teñt as iuſtices de banke, et
bře au maioꝛ ⁊ as baillifȝ, q̄ ſi le teñt eit
tre pd⁹, q̄ ilȝ facent extenď la tre, et reč
tent en bank a cert iour, ⁊ ap̄s ſoit manď
biſc du pais ou le garrant fuiſt som̄, ql
y face auer de la terř le garrāt a le value
ide articul' Gloceſter coꝛrect. Anno no=
Edwardi. 2.

¶ Eſtrepement. 1. Cap. 13.

Purueu eſt enſement, que del heure q̄
e ſerra meue en la city de Londres per bř,
e le tenant neit power de faire waſte, ne
eſtrepement

Si [illegible] et deuant [illegible] wast [illegible] estrepment ne gist [illegible] p̄ require. 18. H. 8. 5. Br. estrepmt 1. 5 cap. 47

eſtrepment du tenemt q̃ eſt en dðe, pend pleæ, Et ſil le face, le maiſ̃ & les bailifs fe cent gard a le ſuit de le dðt. Et m̃ lordre ſtatut ſoit gard en auts cities, boroughs, ailors p tout le realme.

Dam. 2. cap. 14.

¶Le roy graũt de ſa grace as citizens Lõdres, q̃ la ou auant ces heuers ceux queu fueront diſſeiſies de lour franckteneṁt e m̃ la citie, ne poiẽt rec̃ lour dam auaunt venue des iuſtices a la tower: q̃ deſormes ceux diſſeiſies eient lour dam p recogniſan de laſſiſe, per le quel ilz recouñont lour tem & les diſſeiſors ſoiẽt amcies deuant deux ba rons deſchequer, q̃x vn foits p an viẽdẽ en city a ẽ faire. Et ceo ſoit maund a treaſor et as barons deſchequer, q̃ls le facent fai cheſcun an p ij. de eux a lour leuer apres chaũdeleure. Et les amercemts p les ſom del eſchequer, ſoient leues al ops le roy, & Eſcheker deliuers.

¶VVynes 1. cap. 15.

¶Puruew eſt enſement q̃ le maiſ̃ & lz b liſes auãt le venue de ceux barons enque gent des vines vendus encontre laſſiſe, & pſent ent deuãt eux a lour venu, & dõq ſo ẽt amces, la ou ils ſoiẽt attẽd ieſq a le v nue des iuſtices errants. Dones a Glocel le quart iour de October, lan du raigne roy Edward fits le roy H. 6.

¶Explicit ſtatutum de Glocester.

Explanation

¶Explanationes Stat. Gloc.
An. pred. Regis 6. aditę.

POſtmodum per dominum Regem, & Iuſticiarios ſuos factæ ſunt quędam explanationes quorund' articulorum ſuperius poſirorum.

Damages 3. *cap.* 1.

¶Videlicet ad primum articulum, vt illi qui hant ingreſſum per diſſeiſinam incurrant damna a npore ſtatuti publicati. Eodem modo de breous de ingreſſu ſuper diſſeiſinam. De damnis in nnibus breuibus mortis anteceſſoris, conſanguiatis, aui, vel proaui, de intruſione, vel de facto po, vel quodcunque breue, currant dāna poſt imrationem breuis, contra eos qui tenuerunt per tutum, licet anteceſſores ſui prius inde obierunt ſiti.

¶*Age* 3. *cap.* 2.

¶De inquiſitione faciend', quæ tangit illos qui ſit infra ætatem, currat ſtatutū ſine temporis litatione.

¶De terris alienatis per illos qui tenent per em Angliæ, currat ſtatutum de huiuſmodi is alienatis poſt ſtatutum illud publicatum. dem modo currat ſtatutum de terris vxoris natis per virum vbi finis in curia non eſt inleuat.

Ceſſauit 1. *cap.* 4.

¶De terris dimiſsis ad feodi firmam, reddido inde per annum quartam partem veri valoris

valoris earum, currat ſtatutum, tam de terris,
miſsis ante ſtatutum æditum, quam poſt, dumm
do tenens detinuerit vltra duos annos poſt ſta
tum editum, id quod ſoluere debuit dimiſſori
annum, iuxta ſcripẽ conuentionis illius.

¶*VVaſte. cap.5.*

¶De pœna vaſti, de omnibus (preterquam
dotibus & cuſtodijs) intelligatur de vaſtis fa
poſt ſtatutum editum. Et de pœna tripli in caſi
vaſti de dotibus & cuſtodijs, intelligatur de va
factis poſt ſtatutum editum.

¶*Entre cap.6.*

¶De his qui alienant dotem ſuam intelliga
poſt ſtatutum editum.

¶Datũ apud Gloceſt. die dominica, proxi
poſt feſtum diui Petri ad vincul, anno R. R. E.
ſexto.

¶Statutum de Religioſis, editum *Anno vii. E. primi.*

¶*Mortmaine. 3. cap. 1.*

CVm dudum prouiſum fuerit, ꝙ viri reli
oſi non ingrederentur feoda aliquorum,
ne licentia & voluntate capitalium dom
norum feodorum de quibus feoda illa i
mediate tenentur, & viri religioſi poſtm
dum nihilominus tam feoda ſua propria, qu
aliorũ

iorum hactenus ingreſsi ſunt, ea ſibi appropri-
ido, & emẽdo, & aliqãdo ex dono aliorum reci-
endo, per quod ſeruitia quæ ex huiuſmodi feo-
; debentur, & quæ ad defenſionem regni ab i-
io prouiſa fuerint, indebitæ ſubtrahuntur, & ca-
ales domini eſcaetas ſuas inde amittunt: Nos
per hoc pro vtilitate regni noſtri congruum vo-
ites prouidere remedium: de conſilio prelato-
m comitum baronum & aliorum fidelium reg-
noſtri de conſilio noſtro exiſtentium, prouidi-
us. ſtatuimus, & ordinauimus, quod nullus re-
ioſus, aut alius quicunque terras aut tenemen-
aliqua emere vel vendere, vel ſub colore donati-
is. aut termini, aut ratione alterius tituli cuiuſ-
nque, terras aut tenementa ab aliquo recipere,
t alio quouiſmodo arte vel ingenio ſibi appro-
are preſumat, ſub foriſfactura eorundem per
od ad manum mortuam terræ vel tenementa
iuſmodi deueniãt quoquomodo. Prouidimus e-
m quod ſi religioſus aut alius cõtra pręſens ſta-
um aliquo modo arte vel ingenio venire præ-
npſerit, liceat nobis & alijs immediate capital'
minis feodi talit̃ alienati illud infra annum a
npore alienationis huiuſmodl, ingredi & tenere
feodo & hereditate. Et ſi capitalis dominus im-
dite negligẽs fuerit, & feod' huiuſmodi ingre-
noluerit infra anuum, tunc liceat proximo ca-
ali domino immediat̃ feodi illius, infra dimidiũ
ñ ſequentem, feod' illud ingredi, & tenere ſicut
ed' eſt, Et ſic quilibet capital' dñs immediate in-
edi poſsint hõi feoda, ſi propinquior dñs immed'
ingrediend' huiuſmodi feoda negligens fuerit,
vt

vt prædictum eſt. Et ſi omnes huiuſmodi capi
les domini huiuſmodi feodi qui plenæ ætatis fi
rint, infra quatuor maria, & extra priſonam,
vnum annum & dimidium negligentes fuen
vel remiſsi in hac parte: Nos ſtatim poſt anni
completum a tempore quo huiuſmodi emptior
donationes, vel alios appropriationes fieri con
gerit, terras & tenementa huiuſmodi capiemus
manum noſtrã & alios inde feoffabimus per ce
ſeruitia nobis inde ad defenſionem regni noſtri
cienda, ſaluis capital dominis feodorum illon
wardis, releuijs, & eſcaetis, & alijs ad ipſos pen
ac ſeruitijs inde debit & conſuet. Et ideo vo
mandamus, quod ſtatutum prædictum coram
bis legi & de cetero firmiter teneri & obſeruari
ciatis. Teſte me ipſo apud VVeſtminſt. xiiij.
Nouembris. Anno regni noſtri vij. &c. §M.
cap. 36. VV. 2. ca. 32. & 33. & VV. 3. Anno 1
E. 1. cap. 4.

¶*Explicit ſtatutum de Relig.*

¶Statutum de Acton Burnel *ædit. Anno. xi. E. i.*

¶Reconiſance & ſtat. marchant. Cap. 1.

PUr ceo que merchauntes, queux ana
ceux heures ount preſts lour auoir
diuers gẽts, q̃ ſõt chues ẽ pouertie, p
ceo q̃ ils nauoiẽt pas cy redy ley purueu,
la quel ils poient lour dettes haſtiuemẽt r
couer

couerer al iour de la paye aſſigne, & per icel
encheſon ſont multz des merchãts ſuſtretz
de vener en ceſt terre oue lour merchãdiſes
us dam d̃s marchants, & de tout le royalme.
Le roy per luy, & per tout ſon coũſel, ad or=
daine & eſtable, que merchant que voit eſtre
ſure de ſon det, face vener ſon dettor deuãt
le Maior de Londres, ou de Euerwike, ou
de Briſtolł, ou deuant le Maior & vn clerke
que le roy a ceo atturnera, a conuſer la d̃t, et
le iour d̃ paimẽt ſoit la reconuſ. entre ẽ rolł
de le maine le dit clerke que ſerra conue.
Ouſter ceo le dit clerke face de la maine let=
tre obligał, a quel eſcripture ſoit mis ł ſealł
le dettour, oue ſeale le roy que a ẽ ſoit pur=
ueu, le q̃l ſeale demurra en le garde d̃l maior
& le clerke auantdit.
Et ſi le dettour ne luy rende al iour que luy
eſt done ou aſſis, ſi veigne le creanſore al
Maior & al clerke oue ſa lettre oblyg. Et ſi
troue ſoit per rolle ou per letter, que la det
ſuit conue, & que le ioure aſſis eſt paſſe, le
Maior per vieu des prudes homes, mayn=
tenaunt face vendre les mouables du dettor
come atteint d̃ la dette, ſicome chateux bur=
gages deuiſables, ieſque a la ſomme de la
dette, et les deniers ſoyent payes al crean=
ſour. Et ſi le Maior ne trouc achatour,
face p̃ reaſonable price liuerer les mouables
al creanſour, ieſque a la ſomme de la dett en
allowaunce de le dett. Et a la vende, et ſa
liuere d̃s burgages deuiſables ſerra mys le
ſeale le Roye auauntdit, en pardurable teſ=

moigne. Et ſi le dettour neit mouables ē le
poier le maioꝛ, dont le dett purē eſtō leue,
eins eit ailoꝛs en la realme, donqȝ maunde l'
Maioꝛ deſouth le ſeale le roy auantdiſt al
Chauncelor la conuſ. fait deuant luy ⁊ la=
uantdit clerke. Et le Chauncellor maunde
brieſe al viē en q̄ baily aueē mouables le
dettor. Et le viē face faire gree al creaun=
ſoꝛ p m̄ la foꝛme, que le maioꝛ le ferroit, ſi
les mouables le dettoꝛ fuiſſent en ſō poier.
Et bien ſoy gardēt ceux, q̄ ōt praiſe l'z bñs
mouables pur liuerer al creanſoꝛ, q̄ ilz mett
reaſonable price. Car ſilz les mittent trope
haut, en fauour del dettoꝛ, al dam̄ del creā=
ſoꝛ, la choſe price ſoit lyuer a ceux queux
laueront praiſe pur la price q̄ ilz ēt ont miſ
⁊ maintenāt reſpoign̄ al creanſoꝛ de ſa dett.
Et ſi la dettoꝛ voile dire, q̄ les bñs moua=
bles fuerōt vende ou lyuers pur meines, q̄
ils ne vailent, de ceo ne purē il my remedy
auer, pur quoy q̄ le maioꝛ ou le viē eyen
loialment les biens mouables a celuy q̄ pl'
offert vendus, car il purra retier a luy m̄ a=
uāt la iour de la ſuit poꝛt, ⁊ ſes bñs moua=
bles auer vendō, ⁊ p ſes maines les deniers
auoir leue, ⁊ ne voilet.

¶ Et ſi le dettoꝛ neit mouables, dōt l
det purē eē leue, donqȝ soit ſon coꝛps pril
ou q̄ il ſerra troue, ⁊ en priſon tenue, ieſq
tant que il eit fait gre, ou ſes amiez pur lu
Et ſil nad, dont il poit eſtre ſuſtenus ē pri
ſon, la creanſoꝛ luy trouera paine ⁊ ewe, q̄
ne moꝛge en priſon pur defaulte, les queu

coſtage

;oſtages le dettoꝛ luy rendͦ oue le det, auãt
ꝗ il iſſeĩ del pꝛiſon.

¶ Et ſi le creanſour ſoit marchãt eſtrãge
l demurra al coſtages le dettoꝛ tout le tẽpz
ꝗ il demurt pur ſuer ſa dette leuer ieſque al
ieure ꝗ̃ les biens mouables le dettoꝛ ſoient
iendus ou a luy lyuers.

¶ Et ſi le creanſoer ne ſe paia pas de la
uerty ſolement le dettoꝛ. per ꝗ̃ pledges luy
oient troues ou mainpernoꝛs, ſi les mainp=
ioꝛs, ou les pledges veigñ deuant le maioꝛ
t le dit clerke, & ſoy obligent per eſcriptuꝰ
recogniſance, ſi come auaunt eſt diſt del
ettoꝛ. En m̃ le manner ſi la dett ne ſoit
aia a iour aſſigñ, ſoit fait lexecution ꝑ les
ledges et mainpernoꝛs, come auant eſt diſt
el dettoꝛ. Et eyt le creanſoꝛ recouery ſur
es pledges & mainperuoꝛs come auant eſt
it del dettoꝛ.

Et iſſint ne pur quant que tanq; com la
et puiſſe eſtre pleinment leue des biens
iouables del dettoꝛ en le foꝛme auantdit, les
iainpernoꝛs ou les pledges ne eiant dam̃,
ies en defau lt des biens mouables du detẽ,
it le creanſoꝛ recouery ſur ſes mainper=
ours ou ſur les pledges en la foꝛme, que
uant eſt dit del dettoꝛs eſt. Et a ſuſteineir
es coſtages de lauantdiſt clerke, ſi pꝛẽdꝛa
e roy de cheſcun lyuer vn denier, Ceſt eſta
liſhement voit le roy que deſoꝛmes ſoit
enus et garde per tout ſon realme de An=
literre, ẽter quel gents ꝗ̃ ẽ ſoit, ꝗ̃ de lour
emeſñ degree voudꝛõt ceſt recogniſãs fait

forſpriſe Iewes aux queux ceſt eſtabliſhmẽt ne ſe extẽd pas.

¶Et per ceſt eſtabliſhmẽt ne ſoit pas brief de det abatus, et ne ſoient pas le Chauncelier, Barons de leſchequer, Barons de lun bãke et de lauter, ou iuſtices errãts, forclos de prendre recognuſances des detts de ceux que deuant eux voudrõt faire. Mes lexecucion des recognuſances deuãt eux ne ſoient faitz en la forme auantdit, mes per la ley, et les vſages, et les maners auante vſes.

Done a Acton Burnel, le xij. iour de October lan de noſtre raigne xi. ‡vide ſtatut de Mercatoribus añ 13. E. 1.‡

¶Statutum de Weſtm̃. ij. ædit. Anno xiii. Edwardi primi.

CVm nuper dominus Rex, in quindena ſancti Iohannis Baptiſtæ anno regni ſui ſexto conuocatis prælatis, comitibus, baronibus, & conſilio ſuo apud Gloc. quia plures de regno ſuo exheredationem patiebantur eo quod in multis caſibus, vbi remedium apponi debuit prius, non fuit per prædeceſſores ſuos, aut per ipſum remedium prouiſum, quædam ſtatuta populo ſuo valde neceſſaria & vtilia ædidit, per quæ populus ſuus Anglicanus & Hibernicus ſub ſuo regimine gubernatus, celeriorem iuſticiam

ciam, quam prius, in ſuis oppreſſionibus conſecutus eſt, ac quidam caſus, in quibus lex deficiebat remanſerunt indeterminati & quidam ad reprimendam oppreſsionem populi remanſerunt ſtatuenda. Dominus rex in parliamento ſuo, poſt Paſcham, anno regni ſui tertio decimo apud VVeſtminſter, multas oppreſsiones populi, & legum defectus, ad ſuppletionem dictorum ſtatutorum apud Glocester editorum, recitari fecit, & ſtatuta edidit, vt patebit in ſequent̄.

¶ *Taile* 1. *Cap.* 1.

¶ In primis de tenementis, que multociens dantur ſub conditione, videlicet cum aliquis dat terram ſuam alicui viro & eius vxori, & hered' de ipſis viro & muliere procreatis, adiecta conditione expreſſa tali. Si huiuſmodi vir & mulier ſine hered' de ipſis viro & mulier̄ procreato obijſſent, terra ſic data ad donatorem, vel ad eius heredem reuertatur. In caſu etiam cum quis dat ten̄ alicui in liberum maritagium, quod donum habet conditionem annexam, licet non exprimatur in carta doni, qui talis eſt. Quod ſi huiuſmodi vir & mulier ſine hered' de ipſis viro et muliere procreato obijſſent, tenementum ſic datum ad donatorem, vel ad eius heredem reuertatur. In caſu etiam cum quis dat tenementum alicui & hered' de corpore ſuo exeuntibus, durum videbat̄, & ad huc videtur, huiuſmodi donatoribus & heredibus donatorum, quod voluntas donatorum ipſorum in donis ſuis expreſſa, non fuit prius, nec ad huc eſt obſeruata. In omnibus enim predictis caſibus poſt prolem

ſuſcitatam & exeuntem ab ipſis quibus teñ ſic condicionaliter fuit datum, hucuſque habuerunt huiuſmodi feoffati poteſtatem alienandi teñ ſic datum, & exheredandi exitum eorum contra voluntatem donatorum, & contra formam in dono expreſſam.

Et preterea cum deficiente exitu de huiuſmod feoffatis, teñ ſic datum ad donatorem, vel ad eiu heredes reuerti debuit per formam in charta d dono huiuſmodi expreſſam, licet exitus (ſi quis fuerit) obijſſet per factum tamen & feoffamentum eorum, quibus teñ ſic fuit datum ſub conditione, excluſi fuerunt hucuſque de reuerſione corund tñtorũ, ꝙ manifeſte fuit contra formam doni. Propter quod dñs rex perpendens, quod neceſſarium & vtile eſt in predictis caſibus apponere remedium ſtatuit quod voluntas donatoris, ſecundum form in charta doni ſui manifeſte expreſſa, de cetero obſeruetur, ita quod non habeant illi, quibus teñ ſ fuit datum ſub conditione, poteſtatem alienand teñ ſic datum, quo minus ad exitum illorum, quibu teñ ſic fuerit datum remaneat poſt eorum obitum vel ad donatorem, vel ad eius heredem (ſi exitus deficiat) reuertatur, per hoc quod nullu ſit exitus omnino, vel (ſi aliquis exitus fuerit, & per mortem deficiet) herede de corpore huiuſmodi exitus deficiente. Nec habeat de cetero ſecundus vir huiuſmodi mulieris aliquid in tene ment ſic dato per conditionem, poſt morten vxoris ſue, per legem Angliæ: nec exitus de ſe cundo viro & muliere ſucceſsionem hereditari am; ſed ſtatim poſt mortem viri & mulieris, qui bu

bus teñ ſic fuit datum, poſt eorum obitum ad eorum exitum, vel ad donatorem, vel ad eius heredem (vt predictum eſt) reuertatur. Et quia in nouo caſu nouum remedium eſt apponendum: fiat impetranti tale breue. Precepe A. quod iuſte &c. reddat B. tale manerium cum pertineñ, quod C. dedit tali viro, & tali mulieri, & hered' de ipſis viro & muliere exeuntibus: vel quod C. dedit tali viro in liberum maritagium, cum tali muliere, & quod poſt mortem predictorum viri & mulieris predicto B. filio eorundem viri & mulieris diſcendere debet per formam donationis predicte, vt dicit: vel quod C. dedit tali & hered' de corpore ſuo exeuntibus, & quod poſt mortem ipſius talis, predicto B. filio predicti talis diſcendere debet per formam § donationis § &c. Breue per quod donator habet recuperare deficiente exitu, ſatis eſt in vſu in cancellaria. Et ſciendum eſt quod hoc ſtatutum quoad alienationem tenementi contra formam doni impoſterum faciend', locum habeat, & ad dona prius facta non extendatur. Et ſi finis ſuper huiuſmodi teñ impoſterum leuetur, ipſo iure ſit nullus. Nec habeat heredes huiuſmodi, aut illi ad quos ſpectat reuerſio (licet fuerunt plene etatis, in Anglia, & extra priſonam) neceſſe apponere clameum ſuum.

¶ *Replegiare.* 2. *Cap.* 2.

¶ Quia domini feod' diſtringẽtes teñtes ſuos, ꝓ ſeruicijs & conſuetud' ſibi debiẗ, multociẽs grauantur

per hoc,quod § cum § tenentes ſui diſtrictionem ſuam per breue, vel ſine breue, replegiauerint ac cum ipſi domini (ad queremoniam tenentium ſuorum) ad com̄ vel ad aliam curiam habentem poteſtatem placitandi placita de vetito namio per attachiam̄ venerint, & rationabilem & iuſtam diſtrictionem aduocauerint, per hoc quod tenentes diſaduocant nihil tenerꝫ nec clamant tenere de eo qui diſtrictionem fecit, & aduocauit, remanſit ille qui diſtrinxit in miſericordia, & tenentes ſui quieti, quibus pro illa diſaduocatione per recordum com̄, ſiue aliarum curiarum, que recordum non habent pœna infligi non poteſt. De cetero prouiſum eſt & ſtatutum quod cum huiuſmodi domini in com̄ vel huiuſmodi curia,iuſticiam de huiuſmodi tenentibus ſuis conſequi nō poſsint,quam cito attachiati fuerin ad ſectam tenentium ſuorum,concedatur eis breu ad ponendum loquelam§illam§ coram Iuſticiarijs coram quibus(& non alibi)iuſticia huiuſmodi dominis exhiberi poterit, & inſeratꝫ cauſa in breui quia talis diſtrinxit in feodo ſuo pro ſeruic' & cōſ ſibi debitis. Nec per iſtud ſtatutum derogatꝫ legi communi vſitate, quod non permiſit aliquod placitum poni coram iuſtic' ad peticionem defendenꝫ: quia licet prima facie videatur tenen actor,& dominus defendens, habito tamen reſpectu, ad hoc quod dominus diſtrinxit, & ſequitꝫ pro ſeruicijs & conſ. ſibi a retro exiſte realiter apparebit potius actor, ſiue querens quam defendens. Et vt in certo ſint Iuſtic de qua recenti ſeiſina poterint domini aduoca

: rationabilem diſtrictionem ſuper tenentes ſuos:
e cetero concordatum eſt, quod rationabi-
s diſtrictio poterit aduocari de ſeiſina ante-
ſſorum vel predeceſſorum ſuorum, a tempo-
: quo breue noue diſſeiſine currit, § vide VV. 1.
1. 38. § Et quia aliquando contingit, quod tenens
oſtquam replegiauerit aueria ſua, aueria illa ven-
it vel elongat, quo minus retornum poſsit fi e-
domino diſtringenti, ſi adiudicetur. Proui-
m eſt, quod vicecomes, vel balliui de cetero
on recipiant a conquerentibus ſolummodo ple-
os de proſequendo, antequam deliberationem
ciant de auerijs, ſed etiam de auerijs retornan-
s, ſi adiudicer̃ retornum. Et ſi quis alio
odo plegios ceperit, reſpondeat ipſe de precio
ueriorum. Et habeat dominus diſtringens recu-
rare per breue, quod reddat ei tot aueria, vel
talla. Et ſi non habeat balliuus vnde reddat,
ddat ſuperior ſuus. Et quia aliquando contingit,
uod poſtquam adiudicatum fuerit diſtringenti
tornum aueriorum, & ſic diſtrictus, poſtquam
ueria ſic retornata iterum replegiauerit, & cum
derit diſtringentem comparentem in curia
ratum ſibi reſpondere, defaltam fecerit, ob
uam iterum readiudicabitur diſtringenti re-
rnum aueriorum, & ſic bis vel ter & infinitum
plegiabuntur aueria, nec habebunt iudicia
riæ regis in hoc caſu effectum, ſuper quo non
it prius remedium prouiſum: Ordinatum
: in hoc caſu talis proceſſus, quod quam cito
iudicatum fuerit retornum aueriorum diſ-
ngenti, per breue de iudicio, mandetur vic'
quod

quod retornum habere faciat diſtringenti de au
rijs,in quo breui inſeratur, quod vic' ea non del
beret ſine breue: in quo fiat mencio de iudicio p
iuſtic' reddit̄: quod fieri non poterit,niſi per br
ue quod exeat de rotulis Iuſtic', coram quibus d
duct̄ fuerit loquela. Cum igitur § diſtrictus § adi
rit iuſtic', & petierit aueria ſua iterum ſibi repl
giari, fiat ei breue de iudicio, quod vic' (cap
ſecuritate de proſequendo, & etiam de aueri
ſeu cattallis retornand', vel eorum precio, ſi a
iudicetur retornum) deliberet ei aueria, vel ca
talla prius retornata : & attachietur ille qui d
ſtrinxit, ad veniend' ad certum diem coram j
ſtic', coram quibus placitum deducatur in pr
ſentia partium. Et ſi iterato ille, qui replegiau
rit aueria,fecerit defaltam,vel alia occaſione adi
dicetur retornum diſtrictionis iam bis replegi
tum, remaneat diſtrictio illa in perpetuum irrepl
giabilis. Sed ſi de nouo, & de noua cauſa ſi
diſtrictio,de noua diſtrictione ſeruetur proceſſ
ſupradictus.

¶*Cui in vita.* 1. *Cap.* 3.

¶In caſu quando vir amiſerit per defalt
ten̄, quod fuit ius vxoris ſue,durum fuit quod v
er poſt mortem viri non habuerit aliud recuper
quam p breue de recto. Propter quod dn̄s rex ſt
tuit,quod mulier poſt mortem viri ſui habeat rec
perare per bre de ingreſſu,cui ipſa in vita ſua co
tradicere nō potuit qd' in forma ſubſcripta erit pl
citād'. Si contra petitionē mulieris tenens excipi

quod habuerit ingreſſum per iudicium & compertum fuerit, quod per defaltam, ad quod tenens neceſſe habet reſponderë, ſi ab eo querat tunc vlterius habet neceſſe oſtendere ius ſuum ſecundum formam breuis, quod prius impetrauit ſuper virum & vxorem. Et ſi verificare poterit, quod habuerit, vel habet ius in teñ petito, nihil capiat mulier per breue ſuum. Quod ſi oſtendere non poterit, recuperet mulier teñ petitum, hoc obſeruato, quod ſi vir abſentauerit ſe, & noluerit ius vxoris ſue defendere, vel ꝗ inuita vxore ſua reddere voluerit § ſi coram iudicium venerit, parata petenti reſpondere, & ius ſuum defendere, admittatur vxor. Eodem modo ſi tenens in dotem per legem Angliæ, vel aliter ad terminum vite vel per donum in quo reſeruatur reuertio, fecerit defaltam, vel reddere voluerit, admittantur heredes, vel illi ad quos ſpectat reuerſio, ad reſponſionem, ſi venerit ante iudicium. Et ſi per defaltam, vel reddicionem reddatur iudicium, tunc habeant hered', vel illi ad quos ſpectat reuerſio, poſt mortem huiuſmodi tenentium, recuperare per breue de ingreſſu: in quo obſeruetur idem proceſſus, ſicut predictum eſt in caſu vbi vir amittit per defaltam teñ vxoris ſue. Et ſic in caſibus predictis due concurrunt actiones: vna inter petentem & tenentem, & alia inter tenentem ius ſuum oſtendentem & petentem. § Vide 20.E.1.defenſio iuris.

¶Dovver.3. Cap.4.

¶ In caſu quando vir implacitatus de teñ

teñ reddit tenementum petitum aduerſari
ſuo de plano, poſt mortem viri, iuſticiarij ad
iudicent mulieri dotem ſuam, ſi per breue pe
tat. Sed in caſu quando vir amittet per defal
tam tenementum petitum, ſi mulier poſt mor
tem viri petat dotem, & compertum eſt, quo
per aliquos Iuſticiarios adiudicata fuit dos mul
eri petenti, non obſtante defalta quam vir ſuu
fecit, alijs Iuſtitiarijs in contraria opinione exiſter
tibus, & contrarium iudicantibus, vt de ceter
huiuſmodi ambiguitas amputetur & ſit in cer
to: Ordinatum eſt quod in vtroque caſu au
diatur mulier, que dotem petit. Et ſi excipia
tur contra ipſam, quod vir ſuus teñ̄, vnc
dos petita eſt, amiſit per iudicium, per quo
dotem habere non debet, & ſi queratur per quo
iudicium & compertum fuerit quod per defaltan
ad quod tenēs neceſſe habet reſpondere, tu
oportet tenenē vlterius reſpondere, & oſtende
quod ipſe § tenens § ius habuit, & habet in pr
dicto teñ̄, ſecundum formam bteuis, quod te
nens prius ſuper virum impetrauit. Et ſi oſtend
re poterit, quod vir mulieris non habuit ius in te
nec aliquis alius quam ipſe qui tenet: recedat qui
tus, & vxor nihil capiat de dote. Quod ſi oſte
dere non poterit, recuperet mulier dotem ſ
am. Et ſic in caſibus iſtis, & in quibuſdam c
ſibus ſubſequenē.s. quando vxor dotata am
tat dotem ſuam per defaltam, & tenentes
libero maritagio per legem Anglie, vel ad te
minum vite, vel per feodum talliatum, co
currunt plures actiones. Quia huiuſmo

tenent

enentes, cum oporteat eos petere tenementa ſua
ɩer defaltam amiſſa, & cum ad hoc peruentum
uerit, quod tenens neceſſe habeat oſtendere ius
ıum, non poſſunt ipſi, ſine his ad quod ſpectat
ɛuerſio, de iure reſpondere: & ideo concedatur
is, quod vocent ad warrant̄ ſecundum tenorem
reuis, ac ſi eſſent tenentes §in priori breui§ war-
ınt habeant. Et cum warrantus warrantizaue-
t, procedat placitum inter illum qui ſeiſitus eſt &
arrantum, ſecundum tenorem breuis, quod te-
ens prius impetrauit, & per quod recuperauerit
er defaltam. Et ſic ex pluribus actionibus, ad vl-
num perueniat ad vnum iudicium, videlicet
l hoc quod huiuſmodi petentes recuperent pe-
ionem ſuam, vel quod tenentes eant quieti.
t ſi actio huiuſmodi tenentis, qui neceſſe ha-
t oſtendere ius ſuum, mota fuerit per breue
: Recto, licet Magna aſsiſa, vel duellum iun-
non poſſunt per verba conſueta, ‡iungi§ ta-
en poſſunt per verba ſatis apta. Quia cum
ıens in hoc quod oſtendat ius ſuum, quod ei
mpetet per breue quod prius impetrauit ‡&c‡
loco actoris, bene poterit warrantum defen-
re ius tenentis, qui loco petentis (vt dictum
:) habet, & ſeiſinam anteceſſoris ſui offerre
defendere per corpus liberi hominis ſui,
l ponere ſe in magnam aſsiſam, & petere
le recognitionem fieri, vtrum ipſe maius
habeat in tenemento petito, an prædictus
is: vel alio modo iungi poterit Magna aſ-
, et ſic talis warrantus defend' ius &c. Et
ɡnoſcit ſeiſinam anteceſſoris ſui & ponit ſe
in

dot in [illegible] defor: ne vouchee estrange [illegible] de terre pols, nō possunt [illegible] ad quod spectat [illegible] de iure respondere [illegible] dot in [illegible] defor vouchee et [illegible] de terre pols, ideo concedatur eis [illegible]
10, H. 7. 10, b: [illegible] in valid [illegible] vouchee [illegible] P Stat.

in magnam aſsiſam &c. & petit recognitionem fieri, vtrum ipſe maius ius habeat in predicto tenemento, vt in illo de quo feoffauit talem, ve quod talis remiſit & quietum clamauit &c. a predictus talis &c. Cum aliquando contingat quod mulier non habens ‡ius‡ petendi dotem hereditatis heredis alicuius infra etatem exiſteñ, impetret breue de dote ſuper cuſtodem & cuſtc per fauorem mulieris dotem reddiderit, vel defaltam fecerit, vel placitum ita fictum per colluſionem defenderit, per quod dos huiuſmo mulieri (in preiudicium heredis) adiudicata fuerit: prouiſum eſt quod heres, cum ad etate peruenerit, habeat actionem petendi ſeiſinam a receſſoris ſui verſus huiuſmodi mulierem, qualem haberet verſus quemcunque alium deforciatorem, ita tamen quod ſalua ſit mulieri verſ petentem exceptio oſtendendi, quod ius hab in dote ſua, quod ſi oſtendere poterit, reced quieta, & dotem ſuam retineat, & ſit heres miſericordia, & amercietur grauiter ſecuudu diſcretionem Iuſticiariorum. Sin autem. rec peret heres petitionem ſuam. Eodem modo ſu ueniatur mulieri, ſi heres vel alius eam implacitauerit de dote ſua, ſi dotem ſuam per defaltam amiſerit. In quo caſu ſua defalta non ſit ita preiudicialis, quin dotem ſuam (ſi ius habe recuperare poſsit, & fiat ei tale breue. Pre pe A. quod iuſte &c. reddat tali, quæ fuit v talis tantam terram cum pertinentijs in C. qu clamat eſſe rationabilem dotem ſuam, vel rationabili dote ſua, & quam predictus tali

Et per lequity de ceſt eſtatute tenant p le curteſy aũa tiel br fitz Nat: bre 150

def

ſorceat. Et ad iſtud breue habeat tenens ex-
ptionem ſuam, ad oſtendendum, quod mulier
non habet in dote. Quod ſi verificare pote-
, recedat quietus, alioquin recuperet mulier
ementum quod prius tenuit in dote. Et cum
aporibus retroactis aliquis amiſiſſet terram ſu-
per defaltam, non habuit aliud recuperare
am per breue de recto, quod eis competere
n potuit, qui de mero iure loqui non potue-
rit, veluti tenentes ad terminum vite, vel per
rum maritagium, vel per feodum talliatum,
quibus caſibus ſaluatur reuerſio. Prouiſum
quod de cetero non ſit corum defalta eis ita
iudicialis, quin ſtatum ſuum (ſi ius habeant)
perare poſsint per aliud breue quam per bre-
le recto. De maritagio amiſſo per defaltam
tale breue. Precipe A. quod iuſte &c. reddat
nanerium de C. cum pertinentijs, quod clamat
ius, & maritagium ſuum, & quod predictus
ei deforc'. Eodem modo de teñto ad terminum
per defaltam amiſſo, fait tale breue. Precipe
quod iuſte &c. reddat B. manerium de C. cum
tiſi, quod clamat tenere ad terminum vitæ ſuæ,
quod predictus A, ei deforceat. Similiter quod
nat tenere ſibi & heredibus ſuis de corpore
legittime procreatis, & quod predictus A. ei
orc' &c.

¶ *Adovvſon* 1. *cap*.5.

Cum de aduocationibus Eccleſiarum non
niſi tria breuia origina'ia, videlicet breue
recto, & duo de poſſeſsione, ſcilicet vltime
pro-

preſentationis,& quare impedit & hucuſque viſta
tum fuerit in regno, quod cum aliquis ius preſen
tandi non habens preſentauerit ad aliquam eccle
ſiam, cuius preſentatus ſit admiſſus, ipſe qui veri
eſt patronus, per nullum aliud breue recupera
potuit aduocationem ſuam, quam per breue c
recto quod habet terminare per duellum, vel p
magnam aſsisam per quod heredes infra ætate
exiſtentes per fraudem & negligentiam cuſtc
dum, heredes etiam ſiue maiores, ſiue minor
per negligentiam vel fraudem tenentium per l
gem Angliæ, vel mulierum tenentium in dote
vel alio modo ad terminum vitæ, vel annoru
vel per feodum talliatum, multociens exhered
cionem patiebantur de aduocationibus illis, v
ad minus (quod eis melius fuit) ponebant
ad breue de recto, & in caſu omnino exher
ditati fuerunt hucuſque. Statutum aſt qu
huiuſmodi preſentationes non ſint huiuſmc
rectis heredibus, aut illis ad quos poſt morte
aliquorum huiuſmodi aduocationes reuerti ‡d
bent, ‡ ita preiudiciales, quin quotieſcunque a
quis ius non habens, tempore huiuſmodi c
ſtodiarum preſentauerit, vel tempore tenentiu
in dote, per legem Angliæ, vel alio mo
ad terminum vitæ, vel annorum vel per fe
dum talliatum, in proxima vacatione, po
quam hæres ad ætatem peruenerit, vel adu
catio poſt mortem tenentium in forma pred
ta ad heredem plene ætatis exiſtentem reu
tetur, habeat eandem actionem & recuperati
nem per breue de aduocatione poſſeſſori
quali

ualem haberet vltimus anteceſſor huiuſmodi he-
dis plenam habens etatem, in vltima vacatione
mpore ſuo accidente ante mortem ſuam, vel ante
iam dimiſsio facta fuerit ad terminum, vel ad
odum talliatum, vt predictum eſt. Hoc idem
obſeruetur de preſentationibus factis ad eccleſi-
de hereditate vxorum, tempore quo fuerunt
b poteſtate virorum ſuorum, quibus per iſtud
atutum ſubueniatur, per remedium ſupradic-
m. Viris etiam religioſis, epiſcopis, archidiaco-
s, rectoribus eccleſiarum, & alijs perſonis eccle-
ſticis per iſtud idem ſtatutum ſubueniatur: ſi
quis ius preſentandi non habens preſentauerit
eccleſias domus ſiue prelatie, dignitati aut per-
natui ſpectantes, tempore quo vacauerint prela-
dignitates, aut perſonatus huiuſmodi nec tamen
large intelligatur iſtud ſtatutum, quod, perſo-
, ad quorum remedium ſtatutum iſtud eſt e-
tum, habeant recuperare ſupradictum, di-
ntes quod cuſtodes, tenentes in dotem, per
gem Angliæ, vel alias ad terminum vitæ,
l annorum, vel viri ficte defenderint placitum
r ipſos, vel contra ipſos motum, quia iu-
cia in curia Regis reddita per iſtud ſtatutum
n adnihilentur, ſed ſtet iudicium in ſuo robo-
quouſque per iudicium curie ‡ regis ‡ tan-
am erroneum (ſi error inueniatur) adnulletur
l aſsiſa vltime preſentationis, vel inquiſitio per
are impedit ſi tranſierit per attinctam, vel per
tiſicationem adnulletur, que gratis concedatur.
de cetero vna forma placitandi in breuibus

 vltime

vltime preſentationis, & quare impedit, int
iuſticiarios obſeruetur, quo ad hoc quod
pars rea excipiat de plenitudine eccleſie per ſua
propriam preſentationem, non propter illam ple
nitudinem remaneat loquela, dummodo breu
infra tempus ſemeſtre impetretur, quanquam in
fra tempus ſemeſtre preſentationem ſuam recupe
rare non poſsit. Et cum aliquádo inter plures cla
mantes aduocationem alicuius eccleſiæ pax fuer
formata inter partes, & irrotulata corám iuſticia
rijs in rotulo, vel ‡in‡ fine ſub hac forma quo
vnus primo preſentet, & in ſequenti vacatione a
lius, & in tertia tertius, & ſic de pluribus,
plures ſint. Et cum vnus preſentauerit, & ha
buerit ſuam preſentationem, quam habere de
bet per formam conuentionis illius, & in proxi
ma vacatione impediatur ille ad quem ſpectat ſe
quens preſentacio per aliquem qui fuit pars illi
conuentionis, vel loco eius: ſtatutum eſt quo
de cetero non habeat huiuſmodi impeditus nece
ſe perquirere breue de Quare impedit, ſed hab
at recurſum ad rotulum, vel ad finem. Et ſi i
rotulo, vel in fine comperta fuerit predicta pa
vel conuentio, mandetur vic', quod ſcire facia
parti impedienti, quod ſit ad aliquem breue
diem continentem ſpacium xv. dierum, vel triu
ſeptimanarum, ſecundum quod locus eſt propin
quus vel remotus, oſtenſ. (ſi quid ſciat dicere
quare ſic impeditus talem preſentationem ſua
habere non debeat. Et ſi non venerit, vel fort
venerit, & nihil ſciat dicere, quare ſic impeditu
preſentationem ſuam habere non debeat, ration
ali

alicuius facti poſt pacem factam, vel irrotulatam, vel chirographatam, recuperet preſentationem ſuam cum damnis ſuis. Et cum contingat quod poſt mortem anteceſſoris ſui, qui ad aliquam eccleſiam preſentauit perſonam, aſsignata fuerit illa aduocatio in dotem alicuius mulieris, vel tenenti per legem Angliæ, & tenentes in dotem, vel tenentes per legem angliæ preſentauerint, & verus heres poſt mortem huiuſmodi tenentium per legem Angliæ, vel in dotem, impediatur preſentare, cum eccleſia vacauerit. Prouiſum eſt, quod de cetero ſit in electione impediti, vtrum perquirere velit per breue de Quare impedit, vel vltime preſentationis. Hoc etiam de cetero obſeruetur de aduocationibus dimiſsis ad terminum vite, vel annorum, vel ad feodũ talliatum. Et de cetero in breuibus vltime preſentationis, & Quare impedit, adiudicentur damna, videlicet ſi tempus ſemeſtre tranſierit per impedimentum alicuius, ita quod epiſcopus eccleſiam conferat, & verus patronus ea vice preſentationem ſuam amittat, adiudicentur dampna ad valorem Eccleſiæ de duobus annis. Et ſi tempus ſemeſtre non tranſierit, ſed diſrationetur preſentatio infra tempus predictum, tunc adiudicentur damna ad valorem medietatis eccleſiæ per vnum annum. Et ſi impeditor nihil habeat, vnde reſtituere poſsit damna, in caſu qñ epiſcopus confert ‡ eccleſiæ ‡ per lapſum temporis, puniatur per priſonam duorum annorum. Et ſi aduocatio diſrationetur infra tempus ſemeſtre, puniatur tamen impeditor p

priſonam dimidij anni. Et de cetero concedantur breuia de capellis, prebendis, vicarijs, hoſpitalibus, abbatijs, prioratibus, & alijs domibus quæ ſunt de aduocationibus illorum, quæ prius concedi non conſueuerunt. Et cum per breue indicauit, impeditur rector alicuius ecceleſię, ad petendum decimas in vicina parochia, habeat patronus rectori ſic impediti breue ad petend' aduocationem decimarum petitarum. Et cum diſrationatum fuerit, procedat poſt modum placitum in curia Chriſtianitatis, quatenus diſrationatum fuerit in curia Regis. Cum aduocatio deſcendat perticipibus, licet vnus bis preſentet, & vſurpet ſuper coheredem, non propter hoc excluſus ſit ille in toto qui fuit negligēs ſed alias habeat turnum ſuum preſentandi, cum acciderit.

¶*Voucher* 4. *Cap* 6.

¶Cum quis petat teñ verſus alium, & implacitatus vocauerit ad warranť, & warrantus dedicat warrantiam, & diu pendeat placitum inter tenentem & warrantum, cum ad vltimum conuincatur. quod vocatus ad warrantum warrantizare tenetur per legem & conſ. hactenus vſitatū, non fuit ante alia pœna inflicta vocato, qui warrantiam dedixit, niſi tamen quod warrantizaret, & eſſet in mīa quia prius non warrantizauit, quod durum fuit petenti quia multociens per colluſionem inter tenentem & warrantum magnas ſuſtinuit dilationes. Propter quod Dominus Rex ſtatuit, quod ſicut tenens amitteret tenenementum petitum, ſi vocaſſet ad warrantum, & warrantus ſe poſſet

poſſet deuoluere de warantia, eodem modo amittat warantus ſi warantiam dedicat, & conuincat̃ quod warantizare debeat. Et ſi inquiſitio pendeat int̃ tenentem & warantum, & petens petat breue ad faciendum venire iuratam, concedatur ei &c.

¶ *Admeſurement de dovver.* 1. *Cap.* 7.

¶ Cuſtodi de cetero concedatur brẽ de admenſuratione dotis. Nec per ſectam cuſtodis ſi ficte & per colluſionem ſequatur verſus mulierem tenentem in dotem, p̃cludatur heres cum ad etatem peruenerit ad dotem admenſurandam, ſecundum quod plegem Angliæ fuit admenſurandum. Et tam in iſto breui, quam in breui de admenſuratione paſture, celerior quam prius de cetero ſit proceſſus, ita quod cum peruentum fuerit ad magnam diſtrictionem, den̄t dies, infra quos duo com̄ teneantur, ad quos publica fiat proclamatio, quod defendens veniat ad diem in breui contentum querenti reſponſuř.. Ad quem diem ſi venerit, procedat placitum inter eos, & ſi non venerit, & proclamatio ſupradicto modo par vic' teſtificata fuerit, ꝓcedatur per defaltam ad admenſurationem faciendam.

¶ *Admeſurement de paſture.* 1. *Cap.* 8.

¶ Cum per placitum motum per brẽ de admenſuratione paſture, paſtura fuerit admenſurata aliq̃ndo coram iuſtic', aliq̃n in com̄ coram vic' multotiens contingit, quod poſt § huiuſmodi § admenſurationem actam, iterum ponit ille, qui primo ſuperonerauit paſturam, plura animalia quam ad ipſum pertinet ha-

bend',nec ſuper hoc hucuſque prouiſum fuiſſet remedium ſtatutum eſt quod de ſecunda ſuperoneratione fiat remedium conq̃renti ſub hac forma, quod conquerens habeat breue de iudicio,ſi coram iuſtic' admenſurata fuerit paſtura, quod vic' in preſentia partium p̃monitarum (ſi intereſſe voluerint) inquirat de ſcd'a ſuperoneratione. Que ſi inuenta fuerit,mandet̃ iuſtic' ſub ſigillo vic', & ſigillis iuratorum, & iuſticiarij adiudicent conquerenti damna,& ponant in extractis valorem animalium que ſuperonerat̃ poſt admenſurationem factam,poſuit in paſtura,vltra quod debuit, & extractas liberent baronibus de ſcaccario,vt inde reſpondeant domino reg. Si in com̃ facta fuerit admenſuratio, tunc ad inſtantiam querentis exeat breue de cancellaria,quod vic' inquirat ſuper huiuſmodi ſuperoneratione,& de auerijs poſitis in paſturam vltra debitum numerum, vel de precio domino regi ad ſcaccarium ſuum r̃ndeat. Et ne vic' fraudem faciat domino regi in iſto caſu,concordatũ eſt,quod omnia huiuſmodi breuia de ſecunda ſuperoneratione, q̃ exeunt de cancellaria irrotulentur, & in fine anni mittant̃ tranſcripta ad ſcaccarium ſub ſigillo Cancellarij,vt videant theſaurarius & barones de ſcaccario qualit̃ vic' r̃ndeat de exitibus huiuſmodi br̃um. Eodem modo irrotulentur br̃ia de reddiſſeiſina,& mittantur ad ſcaccarium in fine anni.

¶ *Meſne*. I. *Cap*. 9.

¶ Cum capitales domini diſtringunt feodum ſuum pro conſuetudinibus, & ſeruicijs ſibi debitis

debitis, & medius ſit qui tenentem acquietare debeat, cum non iaceat in ore tenentis poſtquam diſtrictionem replegiauerit, dedicere demandam capitalis domini ſui, qui aduocat in cur̃ regis iuſtam diſtrictionem fieri ſuper tenentem ſuum, viz ſuper medium, multi per huiuſmodi diſtrictiones hucuſque grauati extiterunt, per hoc quod medius (licet haberet per quod diſtringi poſſet) magnas fecit dilationes antequam ad cur̃ veniret ad reſpondendum huiuſmodi tenentibus ſuis ad breue de medio, per hoc etiam quod durius fuit in caſu quando medius nihil habuit, in caſu etiam cum tenens paratus eſſet facere capitali domino ſeruicia & conſuetudines exactas, & capitalis dominus ſeruicia & conſ. ſibi debitas renuebat percipere per manum alterius quam per manum proximi tenentis ſui, & ſic amiſerunt huiuſmodi tenentes in dominico, proficuum terrarum ſuarum aliquando ad tempus aliquando toto tempore ſuo, nec fuit antea aliquod remedium in hoc caſu prouiſum.

Ordinatum eſt & prouiſum in hoc caſu remedium in poſterum ſub hac forma, ꝙ quam cito huiuſmodi tenens in dominico habens medium inter ipſum & capitalem dominum diſtringitur, ſtatim perquirat ſibi tenens breue de medio. Et ſi medius habens terram in eodem com̃ diffugerit vſque ad magnam diſtrictionem, detur querenti in brĩ ſuo de magna diſtrictione talis dies, ante cuius aduentum duo com̃ teneantur, & precipiatur vic' quod diſtringat medium per magnam diſtrictionem, prout in breui continetur. Et

 nihilo-

nihilominus vic' in duobus plenis com̃ ſolem-
niter proclamare faciat, quod huiuſmodi me-
dius veniat ad diem in breui content̃, reſpon-
ſurus tenenti ſuo. Ad quem diem ſi venerit
procedat placitum inter eos modo coniuncto
Et ſi non venerit huiuſmodi medius, amitta
ſeruicium tenentis ſui, & amodo non reſponde-
at ei tenens in aliquo, ſed (omiſſo illo medio
reſpondeat capitali domino de eiſdem ſeruicijs &
conſ.que prius facere debuit predictus medius
Nec habeat capitalis dominus poteſtatem diſtrin
gendi § tenentes in dominico § dum predictu
tenens offerat ei ſeruicia debita & conſueta
Et ſi capitalis dominus exigerit plus quar
medius ei facere deberet, habeat tenens in hoc caſ
exceptionem § verſus dominum quam haber
medius. Si vero medius nihil habuerit in po
teſtate regis: nihilominus perquirat tener
breue ſuum de medio, ad vic' illius com̃ i
quo diſtringitur. Et ſi vic' mandauerit, quo
medius nihil habeat vnde poteſt ſummoneri
nihilominus ſequatur breue de attachiamento
Et ſi vic' mandauerit, quod nihil habet p
quod poteſt attachiari, nihilominus ſequ
breue de magna diſtrictione & fiat proclama
tio in forma predicta. Si vero medius no
habeat terram, in com̃ in quo fit diſtricti
ſed habeat terram in alio com̃, tunc exe
breue originale ad ſummoniendum medium, a
vic' illius com̃ in quo fit diſtrictio. Et cum teſtific
tum fuerit per illum vic', quod nihil habet
com̃ ſuo, exeat breue de iudicio ad ſumm̃ mediu

vic' illius com in quo teſtificat fuerit quod
bet ten, & fiat ſecta in illo com, quouſque p-
niatur ad magnam diſtrictionem & proclama-
nem, ſicut dictum eſt ſupra de medio ha-
nte terram in eodem com in quo fit diſtrictio,
nihilominus fiat ſecta in com in quo nihil
bet (ſicut dictum eſt ſupra de medio nihil
bente) quouſque perueniatur ad magnam
trictionem & proclamationem, & ſic poſt
oclamationem in vtroque com factam ab-
licetur medius de feodo & ſeruicio ſuo. Et
m aliqn contingat, quod tenens in domini-
feoffatus eſt, ad tenend' § de medio § per mi-
s ſeruicium quam medius facere debuit capitali
mino, cum poſt huiuſmodi proclamationem
ornatus ſit tenens capitali domino, medio
iſſo, neceſſe habet tenens reſpondere capita-
domino de ſeruicijs & conſ. que medius ei
ius facere debuit, & poſtquam medius ve-
rit in cur, & cognouerit, quod acquietar
bet tenentem ſuum, vel adiudicetur ad ac-
ietand', ſi poſt huiuſmodi cognitionem aut
dicium querimonia perueniat quod medius
n acquietat tenentem, tunc exeat breue de
dicio, quod vic' diſtringat medium ad ac-
ietandum tenentem; & ad eſſend' coram
ſtic' ad certum diem, ad oſtendend' quare
ius eum non acquietauit. Et cum per diſtrictio-
m venerit, audiatur querens. Et ſi querens
rificare poterit, ꝙ ipſum non acquietauit, ſa-
faciat de damnis, & per iudicium recedat tenens
uietus de ſuo medio, & attornetur capitali
domino

domino. Et ſi ad primam diſtrictionem non v
nerit, exeat bre de alia diſtrictione, & fiat pr
clamario, & poſt quam teſtificat̄ fuerit procedat
ad iudicium, ſicut ſuperius dictum eſt. Et ſciendu
eſt, quod per hoc ſtatutum non excluduntur tene
tes, quin habeant warantiam, ſi de tenementis ſi
implaci tent̄, ſuper medios ſuos & eorum here
ſecund' ꝙ prius habuerunt, nec etiam excludu
tur tenentes, quin ſequi poſſunt verſus medios ſ
os, ſecundum conſuetudinem prius vſitatam, ſi
derint quod proceſſus eorum plus valeat per an
quam conſ. quam per iſtud ſtatutum. Et ſciendu
eſt, quod per iſtud ſtatutum non prouidetur
medium quibuſcūque medijs, ſed ſolummodo
caſu cum ſit vnus medius tm̄ int̄ dominum diſtri
gentem & tenentem, & in caſu quando medius
eſt plene etatis, & in caſu quando tenens ſine p
iudicio alterius quam medij attornare ſe poteſt
pitali domino, quod dictum eſt pro mulieribus
nentibus in dotem, & tenentibus per legem A
gliæ, vel aliter ad terminum vite, vel per feod
talliatum, quibus pro aliquibus cauſis nond
eſt prouiſum remedium, ſed (deo dante) alias p
uidebitur.

¶ *Iuſtices en eyre.* 3. *Cap.* 10.

¶ Cum in itinere iuſtic' ꝓclamatū fuerit, qd' om
qui bria liberare voluerint, ea liberent infra cert
terminū, poſt quem nullum breue recipiatur, m
de hoc confidentes, cum moram fecerint vſque
ꝑdictum terminū, & nullum bre ſuper eos fu
liberat

ratum, de licentia iuſtic' recedunt, poſt quorum ſſum aduerſarij ſui ipſorum abſentiam percipies, breuia ſua porrigunt in cera, que aliquando fauorem, aliquando pro dono per vicecomitem piuntur, & illi, qui ſecure credebant receſsiſſe, ſua amittunt: vt huiuſmodi fraudi ſubueniatur ſterum, ſtatuit dominus rex, quod iuſtic' in itibus ſuis ſtatuant terminum quindene, vel menminoris vel maioris termini, ſecũd' quod com̃ it maior vel minor, infra quem terminum pubroclametur, quod omnes qui breuia liberare ierint, ea liberent infra terminum illum. Et luentum illius termini certificet vic' capitali iu itineranti, quot bña habet, & que & quod illum terminum nullum bře recipiatur: quod ceptum fuerit, proceſſus per illud factus pro o habeatur: excepto quod breue caſſatum du e toto itinere releuari poterit. Breue etiam d' de viris que obierint§aſſeiſiti§infra ſummonem itineris, aſsiſe vltime preſentationis, & re impedit, de eccleſijs vacantibus, infra ſumitionem predictam, quocunque tempore ante ſum iuſtic' recipiantur in itinere. Breuia n noue diſſeſine, quocunque tempore facta it diſſeſina, recipiantur in itineribus iu ti.

(Attorney. 2.

Concedit dominus rex de gratia ſpeciali, d illi qui habent teñ in diuerſis com̃, in quibus c' itinerant, vel de quibuſdam teñ in com̃ uo iuſtic' non itinerant timent implacitař, &

& de alijs teñ in com̃, in quo iuſtic' non i
nerant, implacitentur: vt coram iuſtic', ap
weſtm̃, vel de banco domini regis, vel c
ram iuſticiarijs ad aſsiſas capiendas aſsigna
vel in aliquo com̃ coram vic', vel in aliqua cur̃ b
roñ, facere poſsint generalem attornat̃ ad pro
quendum pro eis in omnibus placitis in itinere
ſtic' pro ipſis vel contra ipſos motis vel mouen
durante itenere. Qui quidem attornatus, vel
torñ, habeat poteſtatem in placitis motis in iti
re quouſque placitum terminetur, vel domi
ſuus ipſum amouerit, nec per hoc excuſent
quin ſint in iuratis, & aſsiſis coram eiſdem
ſtic'.

¶ *Accompt.2. cap.11.*

¶ De ſeruientibus, balliuis, camerarijs, &
buſcunque receptoribus, que ad compotum
dend' tenentur, concordat̃ eſt & ſtatutum, q
cum dominus huiuſmodi ſeruient̃ dederit eis a
tores compoti, & contingat ipſos eſſe in arr
gijs ſuper compotum ſuum omnibus allocat
allocand', arreſtentur corpora eorum, & pe
ſtimonium auditorum eiuſdem compoti, mitta
& liberent̃ ꝓxime gaole domini regis in part
illis & a vic' ſeu cuſtode eiuſdem gaole recip
tur, & carceri mancipentur in terris, & ſub
na cuſtodia, & in illa priſona remaneant de
proprio viuentes, quouſque dominis ſu
arreragijs plenarie ſatisfecerint. At tñ ſi
ſic gaole liberatus conqueratur, quod au
res compoti ſui ipſum iniuſte grauauer
oner

vide ore H 27 H 6to: 8. q nul det fur arrerage del accompt as adiudge q les auditors ne committent lacompt aut al prison maynt enant apres lacompt, q ils ne poient [illegible] luy committ al priso. vide B Accompt 6. Det 16. Execution 137 [illegible] prisonm. 32. vide plowde 17. [illegible] 59, 6.

…rando ipſum de receptis quæ non recepit, vel
…n allocando ei expenſas aut liberationes ratio-
…iles, & inueniat amicos, qui cum manucapere
…uerint ad ducend' coram baronib. de ſcaccario
…ratur eis, & ſcire faciat vicecom̄ (in cuius piſona
…it) domino ꝙ ſit coram baronibus de ſcacca-
…ad aliquem certum diem cum rotulis & a-
…per quos compotum ſuum reddiderit, & in pre-
…a baronum vel auditorum, quos aſsignare
…erint, recitetur compotus, & fiat partibus iu-
…, ita quod ſi fuerit in arreragiis, committatur
…le de Fleete. vt ſupra dictum eſt. Et ſi
…igerit, & gratis compotum reddere nolue-
… ſicut in aliis ſtatutis alibi continetur.
…arlebr̄. cap. 23. ‡ diſtringatur ad veniendum
…m iuſticiarijs, ad compotum reddendum, ſi
…at per quod diſtringi poſsit. Et cum ad cu-
… venerit, dentur ei auditores compoti, coram
…us ſi fuerit in arreragiis, & ſtatim arrer̄ ſoluere
… poſsit, committatur goole cuſtodiendū in for-
… redicta. Et ſi diffugerit, & teſtificatum fue-
…r vic', quod non ſit inuentus, exigatur de com̄
…mitatum, quouſque vtlagetur. Et ſit huiuſ-
…i incarceratus irreplegiabilis. Et caueat ſibi
… vel cuſtos eiuſdem Gaole, ſiue ſit infra li-
…tem ſiue extra, quod per commune breue,
… dicitur replegiare, vel alio modo ſine aſſen-
…mini ipſum a priſona exire non permittat.
…d ſi fecerit, & ſuper hoc conuincatur, re-
…leat domino de damnis, per huiuſmodi ſer-
…em ſibi illatis, ſecundum quod p̄ patriā veri-
ficare

Si vn est committ sur condemnacon en det et le gaoler luy lesse a large il est dont lyable de cest nient obstant que le act est penall fol. 60. 178. vide le estat de Glouc. ca. 5.

ficare poterit, & habeat dominus ſuum recupe
per breue de debito §verſus cuſtodem.§ Et ſi
ſtos gaole non habeat,per quod iuſticietur,vel
de ſoluat, reſpondeat ſuperior ſuus qui cuſtod
huiuſmodi gaole ſibi commiſit,per idem breue

¶ *Appeles.5. cap.12.*

¶ Quia multi per malitiam volentes alios
uare,procurant falſa appella fieri de homicidij
alijs felonijs,per appellatores nihil habentes,
domino regi,pro falſo appello, nec appellat
damnis reſpondere poſsint. Statutum eſt
cum aliquis ſic appellatus de felonia ſibi imp
ſe acquietauerit in curia regis modo debito, v
ſectã appellatoris vel domini regis, iuſticiarij
quibus auditum erit huiuſmodi appellum &
minatum, puniant appellatorem per priſo
vnius anni, & nihilominus reſtituant huiuſ
appellatores damna appellatis, ſecundum
cretionem iuſtic', habito reſpectu ad priſona
arreſtationem quam occaſione huiuſmodi a
lorum ſuſtinuerint appellati, & ad infamia
am, quam per impriſonamentum vel alio
incurrerunt, & nihilominus verſus dominu
gem grauiter redimantur. Et ſi forte huiuſ
appellatores non habeant, vnde predicta d
reſtituere poſsint, inquirat per quorum abb
formatum fuerit huiuſmodi appellum, per
ciam, ſi appellatus hoc petat. Et ſi inue
per illam inquiſitionem, quod aliquis ſit
tator per maliciam, per breue de iudicio
ſectam appellati, diſtringatur ad veniendum

m iuſtic'. Et ſi legittimo modo conuictus fue- de huiuſmodi abetto per malitiam, puniatur r priſonam, & tencatur ad reſtitutionem dam- rum, ſicut ſuperius dictum eſt de appellatore. § le anno 1.R.2.ca.13.

Eſſoigne. 8.

¶ Nec iaceat de cetero appellatori in appello de rte hominis eſſonium. in quacunque curia ‡v- appellum fuerit terminandum.

Inditements. I. *Cap.* 13.

¶ Quia etiam vic' multotiens fingentes aliquos am eis in turnis ſuis indictatos de furtis, & alijs efactis, capiunt homines non culpabiles, nec ittimo modo indictatos, & cos impriſonant, vt is pecuniam extorqueant, cum legittimo mo- per duodecim iuratores non fuerint indictati. utum eſt quod vic' in tornis ſuis, & alibi, cum uirere habeant de malefactoribus per precep- regis, vel ex officio ſuo, per legales homines ninus duodecim faciant inquiſitiones ſuas de iſmodi malefactoribus, qui huiuſmodi inqui- nibus ſigilla ſua apponant, & illos quos per iſmodi inquiſitiones inuenerint culpabiles, ca- t & impriſonent, ſecundum quod alias fieri ueuit. Et ſi aliquos aliter impriſonauerint, m per huiuſmodi inquiſitiones indictatos, ha- t huiuſmodi impriſonati accionem ſuam per e de impriſonamento verſus Vicecomitem, t haberent verſus quamcumque aliam per- m, qui eos impriſonaret ſine VVarranto,

Et

Et ſicut dictum eſt de vic', obſeruetur de quolib balliuo libertatis.

VVaſt 5. cap.14.

¶ Cum de vaſto facto in hereditate alicuius p cuſtodes, tenentes in dotem', per legem Angli vel aliter ad terminum vite, vel annorum, cõſueu rit fieri breue de prohibitione vaſti, per qu breue multi fuerunt in errore, credentes qu illi qui vaſtum fecerint, non habuerint neceſſe ſpondere niſi tamen de vaſto facto poſt prohibi onem eis directam, dominus rex (vt huiuſmodi ror de cetero tollatur) ſtatuit, quod de vaſto qu cunque ad nocumen̄t alicuius facto, non fiat de tero breue de prohibitione, ſed breue de ſummo tione, ita quod ille de quo queritur reſpondeat vaſto facto quocunque tempore. Et ſi poſt ſu monitionem non venerit, attachietur, & poſt at chiamentum diſtringatur, & poſt diſtrictionem non venerit, mandetur vic', quod in propria per na, aſſumptis ſecum xij. &c. accedat ad locum ſtatum, & inquirat de vaſto facto, & retornet quiſitionem. Poſtquam retornata fuerit inquiſi procedatur ad iudicium, ſecundum quod conti tur in ſtatuto prius edito apud Gloc'. cap. 5. de ſto 20. E. 1.

Memb. Dier 204 pl. Car nihil dicit in wast but [illegible] que vic in propria persona accedat ad locum [illegible] et [illegible] et venire de enquire de wast [illegible] et nest requisite que il vailloigne in person.

Trochein amy 2. cap. 15.

In omni caſu quo minores infra etatem imp citare poſſunt, conceſſum eſt, quod ſi huiuſm minores elongati ſint quo minus perſonaliter ſe poſsint, propinquiores amici admittantur ad quendum pro eis, VVeſtm̄. 1. cap. 47.

¶VV

Wardes. 10. Cap. 16.

¶ In caſu quo alicui minori deſcendat hereditas
[e]x parte patris, qui tenuit de vno domino, & ex
[p]arte matris que tenuit de alio domino, dubitatio
[h]ucuſque extitit de maritagio huiuſmodi minoris,
[a]d quem de duobus dominis pertineat, concorda-
[tu]m eſt quod ille dominus de cetero habeat mari-
[ta]gium, de quo anteceſſor ſuus prius fuit feoffatus,
[n]on habito reſpectu ad ſexum, nec ad quantita-
[te]m tenementi, ſed ſolummodo ad antiquius feoſ-
mentum per ſeruicium militare.

Eſſoine. 9. *Cap*. 17.

¶ In itinere Iuſtic' non admittatur de cetero eſ-
[so]niū de malo lecti, de tenemento in eodem com,
ſi ille qui ſe facit eſſoniari veraciter ſit infirmus,
[q]uia ſi excipiatur a petente, quod tenens non eſt
[in]firmus, nec in illo ſtatu quo minus venire po-
[ter]it coram iuſticiarijs, admittatur eius calumnia:
[et] ſi hoc per inquiſitionem conuinci poterit, ver-
[ta]tur illud eſſonium in defaltam: Nec ſiat de ce-
[te]ro illud eſſonium in breui de recto inter duos
[cla]mantes per eundem deſcenſum.

Execution. 2. *Cap*. 18.

¶ Cum debitum fuerit recuperatum, vel in
[cu]ria Regis recognitum, vel dampna adiudicata,
[ſi]t de cetero in electione illius qui ſequitur pro
[h]uiuſmodi debito, aut dampnis, ſequi breue q̃
[ſibi] fieri faciat, de terris & catallis debitoris, vel q̃
[ſibi] liberet ei omnia catalla debitoris (exceptis bo-
[bu]s & affris carucæ) & medietatem terræ ſue, quo-
[uſq]ue debit̃ fuerit leuat̃ per rationabile preciū &

extenť. Et ſi eijciatur de illo tenemento, habe recuperare per breue noue diſſeiſine, & poſtea pe breue de rediſſeiſina, ſi neceſſe fuerit.

Ordinaries. 1. Cap. 19.

¶ Cum poſt mortem alicuius decedentis int ſtati, & obligati aliquibus in debito, bona deuen ant ad ordinarium diſponendum, obligetur de c tero ordinarius ad reſpondendum de debitis qu tenus bona defuncti ſufficiunt eodem modo qu executores reſpondere tenerentur, ſi teſtamentu feciſſet.

Coſinage. 1. Cap. 20.

¶ Cum Iuſticiarij in placito mortis anteceſſo conſueuerunt admittere reſponſionem tenentis, petens non eſt propinquior heres anteceſſoris, cuius morte tenens petitur, & hoc paraſ eſt per a ſiſam inquirere - Concordatum eſt, quod in breu bus de conſanguinitate, auo & proauo, quę ſunt iuſdem naturæ, admittatur illa reſponſio, & inqu ratur, & ſecundum illam inquiſitionem ad iudi um procedatur.

Ceſſauit 2. Cap 21.

¶ Cum in ſtatuto edito apud Glouceſtr̃ ca. contineatur, quod ſi quis dimiſerit terram ali ad reddendum valorem quarte partis tenemen vel maioris, habeat ille qui dimiſit, vel eius he (poſtquam ceſſatum fuerit a ſolutione per bienn um) accionem petendi teñ ſic dimiſſum in d ñico. Eodem modo concordatum eſt, quod quis detineat domino ſuo ſeruitium debitum conſuetum per biennium, habeat dominus accio petẽd teñ in dominico per tale breue. Precipe A iu

Cessavit ne gist de homage ne fealty ne prat, mes gist de rent de suit al court ou rt, 6 H.7:7,b 7 H.7,2,a 33 H.6, 44, 45, 17 E.3:57.5, [illegible] vid Na: br 139,b.

iſte &c. rdedat B. tale teñ, quod A. de eo tenuit ꝑ
ıle ſeruitium, & quod ad predictum B. reuerti dz
ꝯ quod predictus A. in faciend̃ predictum ſerui-
um per biennium ceſſauit, vt dicit. Et non ſo-
ım in iſto caſu, ſed in caſu de quo fit mentio in
redicto ſtatuto Gloc', fiant breuia de ingreſſu he-
di petenti ſuper heredem tenentem & ſuper eos
uibus alienatum fuerit huiuſmodi teñ.

22 ¶ Cum duo vel plures teneant boſcum,
ırbariam, piſcariam, vel alia huiuſmodi in com-
uni abſque hoc quod aliquis ſciat ſuum ſepera-
& aliquis eorum faciat vaſtum contra volun-
tem alterius, moueatur accio per breue de va-
o. Et habeat defendens, cum ad iudicium vene-
; electionem capiendi partem ſuam in certo lo-
per vic. & per viſum & ſacr̃m, ac aſsignationem
cinorum ad hoc electorum & iuratorum, vel
ıod concedat quod nihil capiat de cetero in hu-
ſmodi boſco, turbaria, & alijs, niſi ſecundum ꝙ
rticipes ſui capere voluerint. Et ſi eligat capere
rtem ſuam in certo loco, aſsignetur ei locus va-
tus in ſuam partem, ſecundum quod fuit ante-
ıam vaſtum fecit. Et eſt tale breue in hoc caſu,
licet cum A. & B. teneant boſcum per indiuiſũ
fecit vaſtum &c.

Cest stat. ne extend al parceners, pur ceo qils fuer compellable per com ley a faire part, et ne extend nyent al tenants in com. pur vie et iointenants pur vie, coe al estate de inher: Inst: 200: b. 27, H. 8: 13, b.

Executours. 1. Cap. 23.

¶ Habeant de cetero executores breue de com-
to, & eandem accionem, & proceſſum per illud
eue, quale habuit mortuus, & haberet ſi vix-
t.

Si sont 2 iointenants pur vie et alienent, et lun fait wast, ... de wast ... stat: Inst: 200: b: ... ca: 5: Inst. 53. F. N. B. 49, l. 50, d.

Nuſance. 3. Cap. 24.

¶ In caſibus in quibus conceditur breue
in Cancellaria de facto alicuius, de cetero

non recedant querentes a curia Regis ſine remed
pro eo quod teñ transfertur de vno in alium.
in regiſtro de cancellaria non eſt inuentum alic
breue in iſto caſu ſpeciale, ſicuti de muro, don
mercato, conceditur breue ſuper eum qui leuat
ad nocumentum. Et ſi transferatur domus, m
rus, & his ſimilia in aliam perſonam, breue nõ d
negetur, ſed de cetero cum in vno caſu concedit
breue in conſimili caſu ſimili remedio indigen
ſicuti prius, fiat breue, Queſtus eſt nobis A.
B. iniuſte &c. leuauit domum, murum, mercati
& alia quæ ſunt ad nocumentum liberi teneme
ſui. Et ſi huiuſmodi leuata ad nocumenti
transferantur in aliam perſonam, de cetero
breue ſic, Queſtus eſt nobis A. quod B. & C.
uauerunt &c.

Vid Reg. nu: br 110, a.

Quod permittat. 1

¶ Eodem modo ſicut perſona alicuius eccle
recuperare poteſt communem paſturam p bre
noue diſſ. eodem modo de cetero recuperet ſ
ceſſor ſuper diſſeiſitorem vel eius heredem, per b
ue, quod permittat, licet huiuſmodi breue prius
cancellaria non fuerit conceſſum.

Iuris vtrum. 1

¶ Eodem modo ſicut conceditur breue, vtr
aliquod teñ ſit libera elemoſina alicuius eccleſiæ
laicum feod talis, fiat de cetero breue vtrum ſi
bera elemoſina talis eccleſiæ. vel alterius eccleſ
caſu quo libera elemoſina vnius eccleſiæ transfe
tur in poſſeſsionem alterius eccleſiæ,

VVri

¶ *vvritte.2.*

Et quocienſcunque de cetero euenerit in cancel- r̃,quod in vno caſu reperit̃ breue, & in conſimi- caſu cadente ſub eodem iure, & ſimili indigente medio non reperit̃,concordent clerici de cancel- ria in breui faciendo,vel attermin ent querentes in oximum parliamentum, & ſcribantur caſus in ubus concordare non poſſunt, & referant eos l proximum parliamentum, & de conſenſu iu- peritorũ fiat breue,ne contingat de cetero quod ria domini regis deficiat conquerentibus in iu- cia perquirenda.

¶ *Aſsiſe.6. Cap.25.*

¶ Quia non eſt aliquod breue in Cancellaria, r quod querentes habeant tam feſtinum remedi- n,ſicut per breue noue diſſeiſine: dominus rex luntatem habens vt celeris fiat iuſticia, & quod lationes in placit̃ communis amputentur & ab- euientur,concedit quod breue aſsiſe no diſſeiſine cum habeat in pluribus caſibus quam prius ha- uit. Et concedit quod de eſtouerijs boſci,pro- uo capiend' in boſco,de nucibus, & glandibus, alijs fructibus colligend',de corrodio,liberatio- bladi, & aliorum victualium, ac neceſſario- um in certo loco annuatim recipiend', tolneto, onagio, paſſagio,pontagio,pannagio, & hijs ſi- ilibus in certis locis capiend', cuſtodijs boſ- rum, parcorum, foreſtarum, chacearum, arrennarum, portarum, & alijs balliuis, & ficiar̃ de feod' iaceat de cetero aſsiſa no diſſ. in omnibus ſupradictis caſibus modo con- ſueto

Est [illegible] in le 8 Rep: f 47 [illegible]

ſueto fiat breue de libero teñ. Et ſicut prius ia-
cuit,& locum habuit in communia paſture, ita d
cetero locum habeat in communia turbariæ piſca-
rie,& alijs commun̄ his ſimilibus, quas quis habe
pertinentes ad liberum teñ,vel etiam ſine teñ pe
ſpeciale factum,ad minus ad terminum vite.

In caſu etiam quando quis tenens teñ ad termi
num annorum,vel in cuſtod', illud alienat in feod
& per illam alienationem transfertur liberun
teñ in feoffatum, fiat remedium per breue nou
diſſ.& habeantur pro diſſeiſitoribus tam ille qu
feoffat, quam feoffatus, ita quod viuente alter
eorum locum habeat predictum breue.

Et ſi per mortem perſonarum ceſſet remediu
per predictum bre fiat remedium per bre de ingre
ſu. Et quamuis ſuperius fiat mentio de aliqui
bus caſibus de quibus locum non habuit prius bre
ue noue diſſeiſine,non propter hoc credet aliqu
illud breue non competere,vbi prius competerat.
Et licet dubitauerint quidam, vtrum in caſu qu
quis paſcat alterius ſeperale,fieri poterit remediu
per predictum breue,teneatur pro certo, quod i
caſu illo per predictum breue bonum & certum e
remedium. Caueant de cetero illi qui nomina
ſunt diſſeiſitores,quod non proponant falſas excej
tiones,per quas captio aſsiſe differatur, dicendo q
alias tranſiuit aſsiſa de eodem teñ inter eaſdem pa
tes,vel dicendo & mentiendo,quod breue de altio
natura pendet inter eaſdem partes, de eodem te
& ſuper his & conſimilibus vocent rotulos, v
recordum ad warrantum, vt per illam vocat
onei

nem aſportare poſsint vecturam, & leuare reditus & alia proficua ad magnum detrimentum uerentis.

Et quia prius aliam pœnam non habuit, quæ uiuſmodi falſas exceptiones mendaciter propoſuit iſi tantum quod poſt mendatium ſuum conuictum, proceſſum fuit ad captionem aſsiſe. Dominus ex, cui odioſe ſunt huiuſmodi falſe exceptiones, atuit quod ſi quis diſſeiſitor nominatus perſonater proponat illam exceptionem ad diem ſibi datm & defecerit de warranto quod vocauit, habeur pro diſſeiſitore abſque recognitione aſsiſe, & ſtituat dampna prius inquiſita, vel poſt inquirena de duplo, & nihilominus pro falſitate ſua puniur per priſonam vnius anni. Et ſi illa exceptio oponatur per balliuum, non propter hoc diffetur captio aſsiſe, nec iudicium ſuper reſtitutione i, & dampnum.

Ita tamen, quod ſi dominus illius balliui, qui abis fuerit, poſtmodum veniat coram iuſtic', qui aſsin ceperint, & offerat verificare per recordum, vel r rotulos, quod aſsiſa alias tranſiuit de eodem teñ de inter eaſdem partes, vel quod querens alias ſe traxit de breui conſimili, vel placitũ pendeat per eue de altiori natuř: fiat ei bře de faciendo veni ſuper hoc recordum. Et cum illud habuerit, & leant Iuſtic' quod recordum ita ei miſſum valet ante iudic', quod per illud excluderetur queis ab actione ſua, ſtatim faciant iuſtic' ſciř parti, prius recuperauit, quod ſit ad certum diem, ad em rehabeat defendens ſeiſinam ſuam, & dampſi que prius ſoluit per primum iudicium, ſimul-

unore si enfant court ouesq son baron vouche record in ass: et fayle al jour del tre serra attaint disseisors mes apres estant receiue el pledeal assise, dome est pris H.11 H 4 f: 48. de [illegible] et fo: 50 del no [illegible]. B. attaynt 28. ploy: 205. car [illegible] del [illegible] del [illegible] ne fuit a comun ley [illegible] court [illegible] dis: [illegible]
Et si enfant nosme disseisor [illegible] record et fayle, il ne serra emprison come est adiudge [illegible] 36 E 3. B fayler de [illegible] 13. ploy: Com: 364. [illegible] T 4 H 7 [illegible] Hawes B Couerture et Infancy 44

mul cum dampnis que habuit poſt primum iudicium redditum, que ei reſtituantur in duplo, ſicu ſupradictum eſt: & nihilominus puniatur ille qu primo recuperauit, per priſonam ſecundum diſcretionem iuſticiariorum. Eodem modo ſi defendens contra quem tranſiuit aſsiſa, in ſua abſentia oſtendat chartas, vel quiet clam, ſuper quarum confectione non fuerunt iurat examinat, ne examinari poterunt, pro eo quod de eis non fiebat mentio in placitand', & probabiliter ignorar potuerunt confectionem huiuſmodi ſcriptorum Iuſtic' viſis ſcriptis illis faciant ſcire parti que re cuperauit, quod ſit ad certum diem coram eis venire fac iurat eiuſdem aſsiſe. Et ſi per veredi tum iuratorum, vel forte per irrotulamentu ſcripta illa verificauerint' puniatur ille, qui aſsiſa impetrauit contra factum ſuum per pœnam ſupra dictam. Nec capiat vic' de cetero bouem a diſſe ſito, ſed a diſſeiſitore tantum. Et ſi plures fu diſſeiſitores in vno breue nominat, nihilomin de vno boue ſit contentus: nec exigat bouem niſi precio v. s. vel precium.

¶*Rediſſeisine*. 3. *Cap*. 26.

¶In breuibus de rediſſeiſina adiudicentur de ce dampna in duplo: rediſſeiſitores de cetero irr plegiabiles per commune breue. Et ſicut in ſtat de Merton § ca. 3. § prouiſum fuit illud breue de qui diſſeiſit fuerunt, poſtquam recuperauer per aſsiſam noue diſſeiſine, mortis anteceſſo aut per alias iuratas: vlterius de cetero hab ill

d breue locum in illis qui recuperauerint per altam, redditionem, aut alio modo ſine recognitione aſsiſarum vel iuratarum.

¶Eſſoine. 10. Cap. 27.

Poſtquam aliquis poſuerit ſe in inquiſitionem quam ad proximum diem, allocetur ei eſſonium, ad alios dies ſequentes per eſſonium differatur captio inquiſitionis, ſiue prius habuerit eſſoñ ſiue non. Nec admittatur eſſoñ poſt diem daṫ de prece partiũ in caſu in qua partes cõſenſerint venire ſine eſſoñ.

¶Eſſoine. 11. Cap. 28.

Cum per ſtatutum VVeſtm̃ § primer ca. 41. § ſtatutum fuit quod poſtquam tenentes ſemel comparuerint in curia, non allocetur eis eſſoiñ in breuibus aſſiſarum: eodem modo de cetero obſeruetur de petentibus.

¶Oyer & terminer. 1. Cap. 29.

Breue de tranſgr̃ ad audiendum & terminandum, de cetero non concedatur coram aliquibus Iuſtic', excepṫ iuſtic' de vtroq; banco, & iuſtic' itineranṫ, niſi pro enormi tranſgr̃ vbi neceſſe eſt apponere feſtinum remedium, et dominus rex de gratia ſua ſpeciali hoc duxit concedend'. Nec etiam de cetero concedatur breue ad audiendum & terminandum appella coram iuſtic' aſsigñ, niſi in ſpeciali caſu, & certa cauſa cum dominus rex hoc preceperit. Sed ne huiuſmodi appellati, vel indictati detineanṫ in priſona, habeant breue de odio & atia ſicut in Magna Charta § ca. 26. § & alijs ſtatutis

tutis dictum eſt. § VV. 1. ca. 11. Gloc'. ca. 9. §

¶ *Niſi prius*. I. *cap*. 30.

¶ Aſsignentur de cetero duo iuſtic' iurati, cora quibus, & non alijs capiantur aſsiſe no. diſſeiſi mortis anteceſſoris, & attincte, & aſſocient ſ duos vel vnum de diſcretioribus militibus com quem venerint, & capiant aſsiſas predictas, & a tinctas, ad plus ter per anuum, videlicet ſemel in quindenam ſancti Iohannis Baptiſte, & gul Auguſti & iterum inter feſtum Exaltationis ſan Crucis, & Octabis ſancti Michaelis, & tertio feſtum Epiphani, & feſtum Purificationis be Mariæ. Et in quolibet comitatu ad quamli captionem aſsiſe, antequam recedant, ſtatuant di de redditu ſuo, ita quod omnes de com̄ ſcire poſs eorum aduentum & de termino in terminum a iournent aſsiſas.

Si per vocationem warranti, per eſſoñ, vel per feetum tecognitorum, ad vnum diem § captio rundem differatur. Et ſi aliqua § cauſa viderint qu vtile ſit, quod aſsiſe mortis anteceſſoris per eſſoñ vocationem warranti reſpectuate adiournent in co, liceat eis hoc facere, & tūc mittant iuſtic' de ba co recordū, cū breui originali. Et cum loquela p uenerit ad captionem aſsiſe, remittatur loquela breui originali per Iuſtic' de banco, ad priores i ſtic' coram quibus capiat̄ aſsiſa. Sed de cetero d Iuſtic' de banco in huiuſmodi aſsiſis ad minus qu tuor dies per annum, corā prefat̄ iuſtic' aſsigñ, parcant laboribus & expenſis. Atterminen

i quiſitiones capiend' de tranſgr̃ placit̃ coram iu-
t: de vtroque banco, niſi ita enormis ſit tranſgr̃,
od magna indigeat examinatione.
Atterminent̃ etiam inquiſitiones coram eis de a-
l placitis placitatis in vtroque banco, in quibus
f ilis eſt examinatio, vt quando dedicit̃ ingreſſus,
v ſeiſina alicuius, vel in caſu quando de vno arti-
c o ſit inquirend'.
Sed inquiſitiones de groſsis & pluribus articu-
l, quæ magna indigeant examinatione capian-
r coram Iuſtic' de bancis, niſi ambe partos petant,
q d inquiſitio capiatur coram aliquibus de ſocie-
t, cum in partes illas venerint, quod de cetero
n fiat niſi per duos Iuſtic' vel vnum cum aliquo
n ite de com̃, in quem partes conſentiunt.
Nec atterminentur huiuſmodi inquiſitiones co-
aliquibus Iuſticiarijs de banco, niſi ſtatuat̃ cer-
t dies & locus in com̃ in preſentia partium, & di-
e locus inferantur in breui de iuditio per hæc
a. Precipimus tibi quod venire fac. coram
iciarijs noſtris apud VVeſtminſter in octab.
ſcti Michaelis, niſi talis & talis die & loco ad
es illas venerint xij. &c. Et cum huiuſmo-
di inquiſitiones capte fuerint, retornentur in
cis, & ibi fiat iudicium, & irrotulentur. Et
niſſa forma predicta alique iuquiſitiones ca-
ntur, pro nullis habeantur, excepto quod
e vltime preſentationis, & inquiſitiones ſu-
Quare impedit atterminentur in proprio
coram vno Inſtic. de banco, & vno mi-
ad certos tamẽ diẽ & locum in banco ſtatutos,
&

& ſiue defendens conſentiat ſiue non : & ibi ſta
tim reddat̄ iuditium.§vide 12.E.2 . ſtat̄ Eboru
ca.3.§Habeant de cetero omnes iuſtic' dę banc
in itineribus clericos irrotulantes omnia placita c
eis placitat̄,ſicut antiquitus habere conſueuerunt
Item ordinat̄ eſt,quod Iuſticiarij ad aſsiſas capie
das aſsignat̄ non compellant iuratos dicere pr
ciſe,ſi ſit diſſeiſina vel non, dummodo dicere v
luerint veritatem facti , & petere auxilium i
ſtic'. Sed ſi ſponte velint dicere, quod diſſeiſi
eſt, vel non, admittatur eorum veredictum
ſuo periculo. Et de cetero non ponant iuſtic'
aſsiſis aut iuratis, aliquos iurat̄ , niſi eos qui
hoc prius fuerunt ſum̄ § de finibus leuatis.2
E.1.cap.4.

¶*Excepcion.* 1. *cap.*31.

¶ Cum aliquis implacitat̄ coram aliquib
iuſtic', proponat exceptionem , & petat qu
iuſtic' eam allocent: quam ſi allocare noluerı
& ille qui exceptionem propoſuerit , ſcribat
lam exceptionem, & petat quod iuſtic' ſig
lum ſuum apponāt in teſtimonio, Iuſticiarij
ponant ſigilla ſua. Et ſi vnus apponer̄ nol
rit, apponat alius de ſocietate. Et ſi forte
queremoniam de facto Iuſticiariorum venire f
dominus rex recordum coram eo, & ſi illa excep
non inueniatur in rotulo,& querens oſtēdat exc
tionem ſcriptam ſub ſigillo iuſtic' appenſo,man
tur Iuſticiario,quod ſit ad certum diem ad cogn
cendū ſigillum ſuum,vel ad dedicendum. E
iuſtic' ſigillum ſuum dedicere non poſsit, pro
d

atur ad iudicium ſecundum illam exceptionem̃ rout admittend̃ eſſet vel caſſand̃.

Mortmaine.2. Cap.32.

¶Cum viri religioſi, & aliæ perſonæ eccleſiaſti- e implacitent aliquem, & implacitatus fecerit de- ltam, ob quam tenementum amittere debeat, ia iuſtic' hucuſque tenuerunt, quod ſi implacita- s fecerit defaultam per colluſionem, vt cum pe- ns occaſione ſtatuti ‡de Religioſis anno ſeptim̃ .1. per titulum doni, vel alterius alienationis, ſei- iam de tenemento conſequi non poſſit, per il- m defaltam conſequeretur, & ſic fieret fraus ſta- to. Ordinatum eſt per dominum Regem, & nceſſum in hoc caſu quod poſtquam defaulta cta fuerit, inquiratur per patriam, vtrum petens beat ius in ſua petitione vel non. Et ſi com- rtum fuerit, quod petens ius habuerit, proce- tur ad iudicium pro petente, & recuperet ſei- iam ſuam. Et ſi ius non habuerit, incurra- r teñ proximo domino feodi, ſi illud petat in- annum a tempore inquiſitionis capte. Et ſi ra annum non petat, ſuperiori domino incur- ur ſi petat infra dimidium annum poſt illum num. Et ſic habeat quilibet dominus poſt oximum dominum, ſpacium dimidij anni petendum, ſucceſsiue, quouſque perueni- r ad Regem, cui ad vltimum pro defectu orum dominorum tenementum incurratur. Et calumpniandum iuratores inquiſitionis, ad- ttantur quicunque capitales domini feodo- n, & ſimiliter pro Rege qui calumniare lucrint. Et remaneat terra, poſtquam iudicium datum

datum fuerit in manu domini Regis quouſq; t
per petentem, vel per aliquem capitalem domini
diſrationetur, & oneretur vic' ad reſpondend̃ in
ad ſcaccarium.

Croſſes.1. *Cap*.1.33

¶ Quia multi tenentes erigunt cruces in teñ
ſuis. aut erigi permittunt, in preiudicium domin
rum ſuorum, vt tenentes per priuilegium templ
riorum & hoſpitaliorum tueri ſe poſſent con
capitales dominos feodorum. Statutum eſt qu
huiuſmodi teñ capitalibus dominis, aut regi inc
rantur, eodem modo quo ſtatuit alibi de tenen
alienat̃ ad manũ mortuam‡ de Religioſis 7.E.

Vide Just: fo: 32, a et b.

Rape 2. *Cap*.34.

¶ Purueu eſt que ſi home rauiſt fe
eſpouſe, dameſell', ou auter feme deſorm
per la ou el ne ſoit aſſentus, ne auant ne
pres, eit iudgement de vie & de membre.
enſement per la ou hõe rauiſt feme dam̃
pouſe, damiſell', ou auter femme a force, t
ſoit q̃ el ſoi aſſent apres, eit tiel iudgeme
come deuant eſt dit, ſil ſoit attaint a le ſ
le roy & eit le roy la ſuite. De mulier̃ abdu
cum bonis virorum ſuorũ, habeat rex ſectã de b
nis ſic aſportatis. Et ſi vxor ſponte reliquerit
rum ſuum, & abierit, & moretur cum adult
ſuo, amittat in perpetuum accionem petendi d
ſuam, que ei competere poſſet de teñ viri ſui, ſi ſu
hoc conuincatur niſi vir ſuus ſponte, & abſque
hertione eccleſiaſtica eã recõciliet, & ſecũ coha
tare permittat, in quo caſu reſtituatur ei ac

ui monialem a domo ſua abducat, licet monia-
conſentiat, puniatur per priſonam trium anno-
m, & ſatisfaciat domui a qua abducta fuerit,
mpetent: §& §nihilominus redimatur ad volun-
em Regis.

¶ VVardrs 12. cap. 35.

¶ De pueris maſculis, ſiue femellis (quorum
ritagium ad aliquem pertineat) raptis & ab-
ctis, ſi ille qui rapuit non habens ius in mari-
io, licet poſtmodum reſtituat puerum non ma-
itũ, vel de maritagio ſatisfecerit, puniať tamẽ ꝑ
nſgreſſũ per priſonam duorum annorum. Et ſi
n reſtituerit, vel heredem poſt annos nubiles
ritauerit, & de maritagio ſatisfacere non potue-
abiuret regnum, vel habeat perpetuam priſo-
n. Et ſuper hoc habeat querens tale breue. Si
feceritte ſecurum &c. tunc pone per vad' &c.
quod ſit coram Iuſticiarijs noſtris &c. oſtenſ.
ire talem heredem infra etatem exiſtentem, cu-
maritagium ad ipſum A. pertinet, apud C. in-
tum, tali loco rapuit & abduxit, contra volun-
m ipſius A, & contra pacem &c. Et ſi heres ſit
odem comitatu tunc addatur iſta clauſula. Et
genter inquiras vbi ille heres ſit in balliua tua
§ipſũ vbicunque inuentum fuerit capias, & ſal-
& ſecure cuſtodias, ita quod eum habeas corá
fatis Iuſticiarijs noſtris ad prefatum terminũ,
eddendum cui predictotum A. & B. reddi de-
t. Et fiat ſecta verſus partem de qua queri-
, quouſque per diſtrictionem venerit, ſi ha-
t per quod diſtringi poterit, vel per contuma-
(ſi non ſit iuſtitiabilis) exigatur, & vtlagetur.

Si

Si forte huiuſmodi heres ducatur, & transfe
tur in alium comitatum, tunc vic' illius comita
fiat tale breue ſub hac forma: Queſtus eſt no
A. quod B. nuper talem heredem infra etatem
in cuſtodia ſua exiſtent, tali loco in comitatu
li, rapuit, & de comitatu illo ad talem locum
comitatu tuo abduxit, contra voluntatem ip
A. & contra pacem &c. Et ideo tibi precipim
quod predictum heredem, vbicunque eum in b
liua tua inuenire poteris, capias, & ſaluo &
cure eum cuſtodias, ita quod eum habeas cor
iuſticiarijs noſtris &c. talj loco & die, qu
diem idē A. habet verſus predictum B. ad redd
cui de iure reddi debeat. Et ſi heres antequ
inueniri poterit, vel antequam reſtituatur q
renti, obierit, nihilominus procedat placitum i
eos, quouſque terminetur, cui reſtitui deberet, ſi
perſtes fuiſſet. Nec excuſabitur aut alleuiabit
qui iniuſte rapuit huiuſmodi hered' de pœna ſu
dicta per mortem heredis, cuius extitit male f
poſſeſſor dum vixit. Et ſi querens obierit ante p
citum terminatur, ſi ius ei competebat ratione p
prij feodi ſui, reſummoneatur loquela ad ſect
hered querentis, & pcedat placitum debito or
Si vero per alium titulum competat ei ius ſicut
tulo donationis, venditionis, aut alio huiuſm
titulo tunc reſummoneatur loquela ad ſect
executorum querentis, & procedat placi
vt predictum eſt. Eodem modo ſi mori
pars defendens antequam placit terminetur,
heres reſtituatur, procedat placitum per
ſum inter querentem vel eius heredem,
exec

.cutores & executores defendentis, vel eius he-
.es ſi executores non ſufficiant, quo ad ſatisfac-
nem de valore maritagij ſecundum quod in a-
ſtatutis continetur, ſed non quo ad pœnam
ſonæ, quia quis pro alieno facto non eſt puni-
lus. Eodem modo cum pendeat placitum in-
partes de cuſtodia terre, vel heredis, vel vtri-
ue per commune breue, quod incipit. Precipe
&c quod reddat &c. fiat reſumnionitio inter
edes & executores querentis, & ſimiliter here-
aut executores defendentis, ſi mors alteram
tem preueniat ante placitum terminatum. Et
n perueniatur ad magnam diſtrictionem, de-
terminus infra quem tres com̃ teneantur ad
ius, in quorum quolibet comitatum fiat pub-
proclamatio quod deforciator veniat ad ban-
n, ad diem in breui contentum, reſponſurus
renti. Ad quem diem ſi non venerit, & pro-
natio ſic ſemel, ſecundo & tertio teſtificatum
rit, procedatur ad iudicium pro querente, ſal-
ure defendentis, ſi poſtmodum inde loqui vo-
rit. Eodem modo fiat in breui de tranſgreſſ.
n quis queritur, ſe eiectum fuiſſe de huiuſmodi
odijs.

Procurements. 1. *Cap.* 36,

Quia domini curiar̃, & alij qui curiam tenent,
ſeneſcalli, volentes grauare ſubditos ſuos, cum
n habeant legalem viam eos grauandi, pro-
ant alios mouere quærelas verſus eos, & da-
vadium, & offerre plegios, vel impetrare
uia; & ad ſectas huiuſmodi querentium cõ-
unt eos ſequi comitatum, hundredũ, wapenta-

chiu̇m, & cur̃, quouſque finem fecerint cum i
ꝑ voluntate ſua, ſtatutum eſt, ꝙ hoc de cetero
fiat. Et ſi quis per huiuſmodi falſas querimo
fuerit attachiatus, replegiet diſtrictionem ſu
captam, & poni fac' loquelá corá iuſticiarijs, co
quibus ſi vicecomes, vel alius balliuus, vel domi
poſtquam ſit diſtrictus formauerit quærimoni
ſuam, aduocauerit iuſtam diſtrictioné ratione
iuſmodi querimoniarum coram eis factarum,
replicet, quod huiuſmodi querimonia moueb
tur verſus eos malicioſe ad inſtantiam ſeu proc
tionem vic' aut aliorum balliuorum aut domi
rum, admittatur illa replicatio. Et ſi ſuper hoc
uicti fuerint, verſus dominum regem rediman
& nihilominus huiuſmodi ſic grauatis, damna
triplo reſtituant.

Diſtreſſes 8. cap. 37.

¶ Quia etiam balliui, ad quos ex officio pe
diſtrictiones facere, grauare volentes ſubditos
os, vt ab eis pecuniam extorqueant, mittunt ign
ad faciend̃ diſtrictiones, ea intentione, vt ſubd
grauare poſſint per hoc quod ſic diſtricti non
bentes noticiam perſonarum non permittunt
iuſmodi diſtrictiones ſuper eos fieri. Statutũ
quod nulla diſtrictio fiat niſi per balliuos not
iuratos. Et ſi alio modo diſtrictiones fecerint
de hoc conuicti fuerint, ſi grauati breue de tra
greſſ. impetrauerint, reſtituant grauatis dar
‡alias in triplo‡ & verſus regem grauiter pu
antur.

Iure

Iurours 2. Cap. 38.

¶ Quia etiam vic' hundredarij, & balliui liber-
um conſueuerunt grauare ſubditos ſuos, ponē-
in aſsiſis & iuratis homines languidos, & de-
pitos, perpetua vel temporali infirmitate lan-
entes, homines etiam tempore ſummonitionis
in patria non commorantes, ſummonendo e-
m effrenatam multitudinem iuratorum, ita vt
uibuſdam eos in pace dimittendo pecuniā ex-
queant, & fiunt aſsiſe & iurate multociens per
periores, diuitibus pro ſuo dando, domi cō-
rantibus. Statutum eſt, quod de cetero non
nmoneātur in vna aſsiſa plures quam xxiiij. Se-
etiam videlicet vltra lxx. annos, perpetuo lā-
di, vel tempore ſummonitionis infirmi, vel
patria non commorantes, non ponantur in iu-
is vel minoribus aſsiſis. Nec etiam ponantur in
iſis vel iuratis, licet in proprio comitatu capi
eant aliqui qui minus teñ habeant quam ad
entiam viginti ſolidorum per annum.
Et ſi huiuſmodi aſsiſe, & iurati, extra comita-
n capi debeant, non ponantur in eis aliqui
i minus tenementum nō habeant quam ad va-
tiam quadraginta ſolidorum per annum, illis
eptis qui teſtes ſunt in chartis, vel alijs ſcriptis,
orum preſentia neceſſaria eſt, dum tamen po-
tes ſunt ad laborandum. Nec debet iſtud ſta-
um extendi ad magnas aſsiſas, in quibus
ortet aliquando ponere milites in patria non
identes, propter paucitatem militum, dum
nen tenementum habeant in comitatu. Et ſi
' vel ſubballiui ſui, vel balliui libertatum, contra

ſtud ſtatutum in aliquo articulo venerint, & ſu
hoc conuincantut, reſtituant damna grauatis
nihilominus ſint in miſericordia domini regis.
habeant iuſticiarij ad aſſiſas capiend' aſſign̄, cum
com̄ venerint poteſtatem audiendi quærimon
ſingulorum conquerentium, quo ad articulos
iſto ſtatuto contentos, et iuſticiam in forma p
dicta exhibend'.§ 21, Edwardi primi de pone
dis in Aſſiſis.

¶ *Retorne of ſhirifes.* 1. *Cap.*39.

¶ Quia iuſticiarij (ad quorum officium ſpe
vnicuique coram eis placitanti iuſticiam exbibe
frequentius impediuntur, quo minus officium
um debito modo exequi poſſint, per hoc quod
breuia originalia & iudicialia non retornant,
hoc etiam quod ad breuia domini regis falſum
tornant reſponſum. Prouidit dominus rex & o
dinauit, quod illi qui timent maliciam vic', liber
breuia ſua originalia & iudicialia in pleno com̄
§in§ retro com̄, vbi fit collatio denarior' dom
regis & capiatur billettum de vic' preſente, vel ſu
uic', in quo biletto contineantur nomina peten
um & tenent' in breui nominat', & ad requiſiti
nem illius qui breue liberauit, apponat' biletto ſig
lum vic' vel ſubuic' in teſtim̄. & fiat mentio de
liberationis breuis.
Et ſi vicecomes vel ſubvicecomes huiuſmodi bil
to ſigillum ſuum apponere noluerit, capiatur t
timonium militum & aliorum, fide dignor
qui preſentes fuerint, q̄ ſigill' ſua hm̄i billeto app
nant. Et ſi vicecom̄ breuia ſibi liberata non ret
nau

maueriт & ſuper hoc ad iuſticiarios perueniat
ierimonia, mandeт̃ per breue de iudicio, iuſtic' ad
ſiſas capiendas aſsign̄, quod inquirent per eos
ui preſentes fuerint, quando br̃e vic' liberatum
it, ſi ſciuerint de illa deliberatione, & inquiſitio
turnetur. Et ſi compertum fuerit per inquiſiti-
iem, quod breue fuit ei liberat̃, adiudicentur
ierenti vel petenti damna, habito reſpectu ad
ialitatem & quantitatem actionis, & ad pe-
ulum quod ei euenire poſſet, per dilationem
iam patiebatur. § Anno. 2. E. 3. ca. 5. apud
or̃. § Et per iſtam viam fiat remedium
iando vic' reſpondet, quod breue adeo tarde ve-
t, quod preceptum regis exequi non potuit
ultotiens itiam capiunt placita dilationes per
c quod vic' reſpondet, quod precepit balliuis
cuius libertatis, qui nihil inde fecerint, & no-
net libertates que nunquam retornum breuium
buerunt.

Propter quod, ordinauit dominus rex, quod
eſaurarius & baron̄ de ſcaccario liberent § iu-
ciarijs in rotulo omnes libertates in quibuſcun-
ie com̄ qui h̄nt retornum breuium. Er ſi vic' reſ-
ndet quod mandauit balliuo alterius libertatis,
iam alicuius contente in predicto rotulo, ſtatim
iniatur vic' tanquam exheredator regis & coro-
ſue. Et ſi forte reſpōdeat quod mādauit balliuo
icuius libertatis, que veraciter retornū hz § qui nihil
de fecit § mādetur vic' qd' nō omittat propter aliquā
ertatē predictā, quin exequatur preceptū dn̄i re-
s, & quod ſcire faciat balliuis, quib⁹ fecit returnū

quod ſint ad diem in breui contentum ad reſpõ
dendum, quare de precepto domini Regis ex
cutionem non fecerint. Et ſi ad diem venerin
& ſe acquietent, quod returnum breuis non fu
eis factum, ſtatim condemnetur vic' domino ill
us libertatis, & ſimiliter parti læſe per dilatio
nem in reſtitutionem damnorum. Et ſi ad di
em non venerint balliui, vel venerint, & ſi
pradicto modo ſe non acquietauerint, in quo
libet breui de iudicio, quam diu durat placit
precipiatur vicecomiti quod non omittat propt
libertatem &c. Multociens etiam vic' falſu
dant reſponſum, quo ad illum articulum qu
de exitiꝰ &c. Mandantes aliquando & men
entes, quod nulli ſunt exitus, aliquando quod pa
ſunt exitus, cum de maioribus reſpondere po
ſint, aliquando non facientes mentionem de ex
tibus. Propter quod ordjnatum eſt & concord
tum, quod ſi querens petat auditum reſponſi
nis vicecom̃, concedatur ei. Et ſi offerat veri
care, quod vicecom̃ de maioribus exitibus re
reſpondere potuit, fiat ei breue de iudicio
Iuſtic' ad aſsiſas capiendas aſsignatos quod i
quirant in preſentia vicecomitis, ſi intereſſe volu
rit, de quibus & quantis exiꝰ reſpondere p
tuit a die impetrationis breuis vſque ad diem
breui contentum ‡al' receptionis vide P.27.H.
cap.10.f.3.& P.20.H.6.cap.10.fol.25.‡& c
inquiſitio retornata fuerit, ſi de pleno prius nõ r
ſponderit, oneretur de ſuperpluſagio per extract
iuſtic' liberatas ad ſcaccarium, & nihilomin
grauiter amercietur pro concelamento. Et ſc

si [illegible] issue [illegible] Jurors, [illegible] 10.H.7.11,b.

c' quod, redditus, blada in grangia, & omnia
obilia, ꝓpter equitaturam, indumenta, & vtenſi-
domus continentur ſub nomine exituum.

Et precepit dominus rex, quod vic' pro huiuſmo-
falſis reſponſionibus ſemel & iterum (ſi ſit ne-
ſſe) per iuſtic' caſtigentur. Et ſi tertio delique-
nt, alius non appoñ manum quam dominus rex
ultotiens etiam falſum dant reſponſum, man-
ndo quod non potuerunt § exequi § precep-
m regis propter reſiſtentiam poteſtatis alicuius
agnatis, de quo caueat vic' de cetero, quia huiuſ-
odi reſponſio multum redundat in dedecus do-
ini regis & coronæ ſue.

Et quam cito ſubballiui ſui teſtificentur, quod
uenerunt huiuſmodi reſiſtentiam, ſtatim (omni-
is omiſsis) aſſumpto ſecum poſſe com̃ ſui, eat in
opria perſona ſua, ad faciend' executionem.

Et ſi inueniat ſubballiuos mendaces, puniat eos
r priſonam, ita quod alij per eorum pænam ca-
gentur.

Et ſi inueniat eos veraces, caſtiget reſiſtentes
r priſonam, a qua non deliberẽtur ſine ſpeciali
ecepto domini regis. Et ſi forte vic' cum vene-
, reſiſtentiam inuenerit, certificet cur̃ de nomi-
bus reſiſtentium, auxiliantium, conſentienti-
n, precipientium & fautorum, & per breue de
dicio attachient̃ huiuſmodi per corpora, ad ve-
endum ad cur̃ regis. Et ſi de huiuſmodi re-
ſtentia conuincantur, puniantur ſecundum
uod domino regi placuerit. Nec intromit-
t ſe aliquis miniſter domini regis de pæna

huiuſmodi infligenda, quia dominus rex hoc ſi[illegible] ſpecial̃ reſeruat, pro eo quod huiuſmodi reſiſten[illegible] tes cenſentur pacis ſue & regni perturbatores § 1[illegible] E.1.de mercatoribus articuli ſuper cartas. c[illegible] 16.

¶ *Age.4.* *Cap.40.*

¶ Cum quis alienat ius vxoris ſue, concordat̃ e[illegible] quod de cet ero ſecta mulieris, aut eius hered[illegible] non differatur poſt obitum viri per minorem et[illegible] tem heredis, qui warrantizare debet, ſz expect[illegible] emptor (qui ignorare non debuit quod ius ali[illegible] num emit) vſque ad etatem warranti ſui, de wa[illegible] rantia ſua habenda.

Le roy nient obſtant q'il neſt noſm̃ auera avantage de ceſt eſtat. E 12. 243. hereditable eſt ent end heire del baron [illegible] 18 E 3 [illegible] cui in vita port [illegible] le feme [illegible] le tenat [illegible] vn [illegible] heire [illegible] ages, [illegible] fuit le heire le baron, [illegible] 4 E 6 17. et [illegible] per ſon nonage le pol demurre [illegible] 19 E 3 [illegible] [illegible] 2. [illegible] le baron, le parol demurrera.

¶ *Contra formam collationis.* 1. *Cap.41.*

¶ Statuit dominus rex quod ſi abbates, priores, c[illegible] ſtodes hoſpitalium, & aliarum domorum religi[illegible] ſarum fundatarum ab ipſo, vel a progenitoribus ſ[illegible] alienauerint de cetero, teñ domibus ipſis ab ip[illegible] vel a progenitoribus ſuis collata, teñ ill̃ in manu[illegible] domini regis capiantur, & ad voluntatem ſuam t[illegible] neantur, & emptor amittat ſuum recuparare, ta[illegible] di teñ quam de pecunia, quam paiauit. Si a[illegible] domus illa a com, baroñ, vel ab aliis fundat̃ fue[illegible] de teñ ſic alienat̃ hẽat ille a quo vel a cuius ant[illegible] ceſſore teñ ſic alienat̃ collatum fuerit, breue ad r[illegible] cuperand' teñ illud in dominico, quod tale eſt pr[illegible] cipe tali abbati, quod iuſte &c. reddat B. tale teñ [illegible] eidem domui colatum fuit in liberam elemoſin[illegible] per predict̃ B. vel anteceſſores ſuos, & quod [illegible] dict̃ B. reuerti debet per alienationem, qu[illegible] pred

dictus abbas fecit de predicto teñ contra for-
um collationis predicte, vt dic'. Eodem modo
teñ daẽ pro cantaria § ſuſtinenda § vel lumina-
n aliqua eccleſia vel capella, vel alia elemoſina
tentanda, ſi teñ ſic daẽ alienetur. Et ſi forte teñ
daẽ pro cantaria, luminari, paſtu pauperum, vel
a elemoſina ſuſtentanda vel faciend', non fuerit
nat, ſed ſubtracta fuerit huiuſmodi elemoſina
biennium, competat actio donatori aut eius he-
li ad petendum teñ ſic datum in dominico, ſi-
: ſtatuẽ eſt in ſtatuto Gloceſter, de teñ di-
ſsis ad faciundum vel reddendum quartam
tem valoris teñ, vel maiorem. Gloceſter
.4.

¶*Fees*.1. *Cap*.42.

De mareſcallis domini regis de feodo, camerarijs,
ſtodibus hoſtiorium in itinere iuſtic', & ſeruien-
us virgam portantibus coram iuſtic' apud
ſtminſter, qui officium illud habent de feodo,
qui plus exigunt ratione feodi ſui quam exigere
nſueuerunt, ſecundum quod multi querun-
: ſuper eos qui ſtatuẽ cuẽ a multo tempore vide-
nt & ſciunt, dominus rex inquiri fecit, quem
tuẽ predicti miniſtri de feodo habere conſueue-
nt temporibus retroactis, & per inquiſitionem
tuit & precepit, quod mareſcallus de feodo
i de nouo exigit palfridum de comittibus, ba-
ñ, & alijs per partem baronie tenenẽ, quan-
homagium fecerint, & nihilominus ad mili-
m eorum alium palfridum, & detquibuſdam
etquibus palefridum habere non debuit) pa-
lefridñ

lefridum de nouo exigunt, ordinauit quod predi
ctus mareſcallus de quolibet comite & barone(in
tegram baroniam tenente,) de vno palefrido ſ
contentus, vel de precio quale antiquitus perciper
conſueuit, ita quod ſi ad homagium, quod feci
palefridum vel precium in forma predicta ceperi
ad militiam ſuam nihil capiat.

Et ſi forte ad homagium nihil ceperit, ad mili
ciam ſuam capiat. De abbatibus, & prioribus in
tegram baroniam tenentibus cum homagium a
fidelitatem pro baronijs ſuis fecerint, capiat pal
fridum vel precium, vt predictum eſt.

Hoc idem de archiepiſcopis, & epiſcopis ob
ſeruand' eſt. De his autem qui partem baron
tenent, ſiue ſint religioſi, ſiue ſeculares, capiat ſ
cundum portionem partis baroniæ, quam tenent
De religioſis tenent̃ in liberam elemoſinam, & n
per baroniam, vel partem baronie, nihil de cete
exigat mareſcallus.

Et conceſsit dominus rex, quod per hoc ſt
tutum non precludatur mareſcallus ſuus de feo
in plus petendo, ſi in poſterum oſtendere poter
quod ius habeat plus petendi.

Camerarij domini regis habeant de cetero
archiepiſcopis, epiſcopis, abbatibus, prioribu
& alijs perſonis eccleſiaſticis, com̃, baroñ i
tegram baroniam tenent̃, rationabilem fine
cum homagium aut fidelitatem pro baronijs ſ
fecerint. Et ſi per partem baronie teneant, c
piant rationabilem finem ſecundum portione
ipſis contingentem. Alij vero abbat
priores, religioſi, & ſeculares non tenen

r baroniam, vel partem baronie, non diſtrin-
ntur ad finem faciend', ſecundum quod de te-
ntibus per baroniam vel partem baronie dictum
, ſed ſit Camerarius de ſuperiori indumento
ntentus, vel de precio indumenti: quod plus
neſte dictum eſt pro religioſis quam ſeculari-
s, quia honeſtius eſt quod religioſi paiant pro
eriori indumento, quam exuant.

¶ Citation 1. Cap. 43.

¶ Prohibeatur de cetero hoſpitularijs & templa-
r, ne de cetero trahant aliquem in placitum co-
n conſeruatoribus priuilegiorum ſuorum de ali-
a re, cuius cognitio ſpectat ad forum regium.
od ſi fecerint, primo reſtituant damna parti gra-
e & verſus dominum regem grauiter punian-
. Prohibet etiam dominus rex conſeruatoribus
uilegiorum eorundam, ne de cetero (ad inſtanti-
hoſpitulariorum, templariorum, aut aliorum
uilegiatorum) concedant citationes, priuſquam
rimatur ſuper qua re fieri debeat citatio. Et ſi
erint (huiuſmodi) conſeruatores, quod petatur
atio de aliqua re, cuius cognitio ſpectat ad forũ
ium, huiuſmodi conſeruatores nec citationem
iant, nec cognoſcant. Et ſi aliter fecerint
ſeruatores, reſpondeant parti læſe de dam-
, & nihilominus verſus dominum regem
uit puniant. Et quia huiuſmodi priuilegiat
petrant conſeruatores, ſubpriores, p̃ntatoꝛ
riſtas, religioſos, qui nihil hñt vnde leſis aut
domino

domino regi ſatisfacere poſsint, qui audatiores ſi
ad ledend' dignitatem domini regis quam eoru
ſuperiores,quibus per eorum temporalia pæna p
teſt infligi, Caueant de cetero prelati huiuſmodi
bedientiariorum, ne permittant obedientiarios ſ
os aſſumer̃ ſibi iuriſdictionem in preiudicium d
mini regis & coronæ ſue. Quod ſi fecerint, pro fa
to ipſorum reſpondeant ſui ſupiores ac ſi de ppi
facto ſuo conuicti eſſent.

¶*Fet.2.* *Cap.44.*

¶De cuſtodibus hoſtiorium in itineribus virg
portantibus coram iuſtic' de banco: ordinat
quod de qualibet aſsiſa & iurata quam cuſtodiu
capiant decem denarios tm̃, de chirographis nil
De his qui recuperant demandas ſuas verſus plu
per defaltam, redditionem, vel alio modo per i
dicium ſine aſsiſa vel iurat̃, nihil. De his qui re
dunt ſine die per defalt̃ petentis, vel querentis ni
capiant. Et ſi quis recuperauerit demandam
am verſus plures per vnum breue, & per recog
tionem aſsiſe vel iurat̃, de quatuor denarijs ſint co
tenti. Et ſimiliter ſi plures in vno breui nomi
ti per recognionem aſsiſe vel iurate recuperaue
demandam, de quatuor denarijs ſint conte
De his qui faciunt homagium in banco,
ſuperiori panno ſint contenti. De magnis aſsi
attinctis, iuratis, & duello percuſſo xij.d' tm̃
piant. De his qui vocati ſunt coram iuſtic'
ſequend', vel defendend' placitum ſuum, nihil
piant pro egreſſu vel ingreſſu. Ad placita corona
quoli

ualibet duodena xij.d.tantum capiantur. De
uolibet priſonario deliberato iiij.d.tantum capi-
tur. De quolibet cuius pax proclamata fuerit
l. tantum capiatur. De inuentoribus occiſo-
m & alijs attachiatis vill', quatuor denarij. De
cenarijs hominibus alijs, de quatuor hominibus
propoſito ac denarijs nihil ſ nihil capiatur. De
irographijs pro Cirographo faciendo. ſtatu-
m eſt, quod de quatuor ſolidis ſint contenti. De
ricis ſubſcribentibus breuia originalia et iuditi-
a ſtatutum eſt: quod pro vno breui de vno de-
rio ſint contenti. Et iniungit dominus Rex
mnibus & ſingulis iuſticiarijs ſuis in fide & ſa-
mento quibus ei tenentur, quod ſi huiuſmodi
niſtri contra prædictum ſtatutum in aliquo ar-
ulo venerint, & quæremonia ad eos pertineat,
nam eis infligant rationabilem. Et ſi iterum de-
uerint, maiorem pænam eis infligant, qui caſti-
i merito debeant. Et ſi tertio deliquerint, &
er hoc conuicti fuerint, ſi ſint miniſtri de feodo
ittant feodum ſuum, & ſi alij ſint, amittant cu-
m regis, nec redeant ſine ipſius regis ſpeciali p̃-
to aut gratia.

¶*Execution* 3. *cap*.45.

¶Quia de his que recordata ſunt coram Can-
ario domini regis, & eius iuſticiarijs qui recor-
n habent & in eorum rotulis irrotulatur, non
et fieri proceſſus placiti per ſummonitionem,
chiementa, eſſonium, viſus terre, & alij ſolem-
tes curiæ, ſicut fieri conſueuit de contractibus
conuentionibus factis extra curiam, obſeruan-
u eſt de cetero ꝙ ea quæ inueniũtur irrotulat̃

coram

coram his, qui recordum habent, vel in finibu
contenẽ ſiue ſint contractus, ſiue conuentiones, ſ
ue obligationes, ſiue ſeruicia, aut conſuetudine
recognita, ſiue aliqua quecunque irrotulata, quibu
curia domini Regis (ſiue iuris & conſuetudinis o
ſenſo) auctoritatem preſtare poteſt, talem de c
tero habeant vigorem quod non ſit neceſſe in po
ſterum de his placitare, ſed cum venerit .conque
rens ad curiam domini regis, ſi recens ſit cogniti
vel finis leuatẽ vz infra annum, ſtatim habeat br
ue de executione illius recognitionis facte. Et
forte a maiori tempore tranſacto facta fuerit i
recognitio, vel finis leuatus, precipiatur vicec
quod ſcire faciat parti, de qua ſit querimonia,
ſit ad certum diem coram Iuſticiarijs, oſtendens
quid ſciat dicere) quare huiuſmodi irrotulatẽ, vel
fine contenẽ executionem habere non debeant.
ſi ad diem non venerit, vel forte venerit, & ni
ſciat dicere, quare executio fieri non debeat, p
cipietur vic', quod rem irrotulatam, vel in fine co
tentam exequi faciat. Eodem modo mandetur
dinario in ſuo caſu, obſeruatẽ nihilominus qđ § V
2, cap. 9. § ſupradictum, eſt de medio, qui p̄ reco
nitionem aut iudicium obligatus eſt ad acqu
tandum. 13. E. 1. Mercatoribus.

Approuer 2. *Cap*. 46.

¶ Cum in ſtatuto edito apud Merton, ca
conceſſum fuerit, quod domini vaſtorum, boſ
rum, & paſturarum approuare ſe poſsint de va
boſcis, & paſturis illis, non obſtante contradi
one tenentium ſuorum, dummodo tenentes
habe

berent ſufficientem paſturam ad tenementa
ı, cum libero ingreſſu & egreſſu ad eadem. Et
o eo quod nulla fiebat mentio inter vicinum &
inum,multi domini vaſtorum boſcorum, &
ſturarum hucuſque impediti extiterint per con-
dictionem vicinorum ſufficientem paſturam
bentium. Et quia forinſeci tenentes non ha-
nt maius ius communicandi in boſco vaſto, aut
ſtur̄ alicuius domini, quam proprij tenentes ip-
s domini: ſtatutum eſt de cetero quod ſtatutū
ıd Merton prouiſum inter dominum & tenen-
ſuos,locum habeat de cetero inter dominos va-
rum,boſcorum, & paſturarum & vicinos, ita
od domini huiuſmodi vaſtorum boſcorum, &
tur̄ ſalua ſufficienti paſtura hominibus ſuis &
inis,approuare ſibi poſsint de reſiduo. Et hoc
ſeruetur de his qui clamant paſturam tanquam
tinentem ad tenementum ſuum. Sed ſi quis
nat communiam paſturam per ſpeciale feoffa-
ntum, vel conceſsionem ad certum numerum
riorum ,vel alio modo, quam de iur̄ commu-
ıabere deberet,cum conuentio legi deroget,ha-
ıt ſuum recuperare, quale habere deberet p̄ for-
m conceſsionis ſibi facte. Occaſione molen-
ventritici,bercarie, vaccarie, neceſſarij, augmē-
onis cur̄, aut curtilagij de cetero non grauetur
s per aſsiſam noue diſſeiſine de communia pa-
re. Et cum contingat aliquando, quod a-
ıis ius habens approuare, foſſatum aut ſepem
auerit, & aliqui noctant̄, vel alio tali tem-
e quo non credant factum eorum ſciri,

foſſatū

foſſatum aut ſepem proſtrauerint, nec ſciri pote
rit per veredictum aſsiſe aut iurate, qui foſſatu
aut ſepem proſtrauerint, nec velint homines c
villatis vicinis indictare de huiuſmodi facto cu
pabiles, diſtringantur propinque villate circũ ac
iacentes, leuare foſſatum aut ſepem, ad coſtum
prium &, damna reſtituere,

Aſsiſe 7.

¶ Et cum aliquis ius non habens cõicãdi vſu
pet communiam tempore quo heredes infra eta
extiterint, vel vxores ſub poteſtate virorum ſuo
exiſtentes, vel paſtura ſit in manu tenentium in d
tem, per legem Angliæ, vel aliter ad terminum v
tæ, vel annorum, vel per feodum talliatum, & p
ſtura illa diu fuerint vſi, multi ſunt in opinione
huiuſmodi paſture debent dici pertinere ad lib
teñ, & quod huiuſmodi poſſeſſori competere c
bet actio p breue no. diſſ. ſi ab huiuſmodi paſ
deforceãtur, ſed de cetero tenendum eſt ꝙ habẽ
huiuſmodi ingreſſum a tempore quo currit bre
mortis anteceſſoris §s. del commencement del E
per VV. 1. ca. 38. ‡ ſi antea communiam non h
buerunt, non habeant recuperare per breue no
diſſeiſine ſi fuerint deforciati.

Fiſh and Fiſhinges. 1. *Cap. 47.*

¶ Prouiſum eſt quod aquæ de Huml
Ouſe, Trent, Done, Arre, Derew
VVherff. Niddiore, Swale, Teſe, Tyne, Ed
& omnes aliæ aquæ ‡ in regno ‡ in quibus Saln
nes capiuntur, ponantur in defenſo, quo
Salmones capiendos, a die Natiuitatis b
M

ariæ, vſque ad diem ſancti Martini. Et ſimiliter
iod ſalmunculi non capiantur, nec deſtruantur
r retia, nec per alia ingenia ad ſtagna molendi-
rum, a medio Aprilis vſque ad natiuitatem ſan-
Iohannis Bap. Et in partibus vbi huiuſmodi
arie fuerint, aſsignentur conſeruatoř iſtius ſta-
ti, qui ad hoc iurati ſepius videant & inquirant
huiuſmodi tranſgreſsione, & in prima tranſgř
niantur per combuſtionem retium, & ingeno-
n ſuorum. Et ſi iterato deliquerint, puniantur
prīſoniam quarterij anni. Et ſi tertio delique-
t, puniantur per priſonam vnius anni. Et ſic
ltiplicata tranſgreſsione, creſcat pene inflictio.
nō 17. R. 2. cap. 9.

¶ *Viewe* 1. *Cap.* 48.

¶ De viſu terræ ordinatum eſt & ſtatutum ꝙ
cetero non concedatur viſus, niſi in caſu quan-
viſus eſt neceſſarius. Sicut ſi aliquis amittat
ementum per defaltam: & ille qui amiſit ſuſci-
aliud breue ad petendum idem teñ. Et in caſu
ando aliquis per exceptionem dilatoriam caſſat
ue poſt viſum terræ, ſicut per non tenuram. vel
le nominando villam, vel huiuſmodi, ſi ſuſci-
aliud breue, in hoc caſu & in ſuperiori de ce-
o non concedatur viſus, dummodo viſum
uerit in prioribus breuibus. In breui de do-
competatur dos de tenemento, quod vir vxo-
alienauit tenenti aut eius anteceſſori, cum igno-
e non debeat tenens, quale teñ vir vxoris aliena-
ſibi vel anteceſſori ſuo licet vir non obijt ſeiſi-

tus, nihilominus tenenti de cetero non erit viſ
conced ẽdus. In breui etiam de ingreſſu caſſat
per hoc quod petens nominauit male ingreſſum,
petens ſuſcitet aliud breue de alio ingreſſu, ſi ten
in priori breui viſum habuerit, in ſecundo non ha
bebit. In omnibus etiam breuibus per que teñ p
tunt ratione dimiſsionis, quam petens vel eius a
teceſſor fecit tenenti, & non eius anteceſſori, ſic
quod ei dimiſit, dum fuit infra ætatem, non con
pos mentis, in priſona, & conſimilibus, non iac
at de cetero viſus, ſed ſi dimiſsio facta fuerit ant
ceſſori iaceat viſus ſicut prius.

¶ *Champarty* 2. *Cap.* 49

¶ Chauncellor, Treaſorer, Juſtices,
nul del counſelſ l' roy, ne clerke de la cha
cerie, ne del eſchequer, ne de iuſtice, ne da
miniſter, ne nul del hoſtelſ le roy, ne clerk
ne lai ne puis reſceiuer eſgliſe, ne aduow
de eſgliſe, ne terre, ne tenemt ne fee, p dor
ne per achate, ne a ferm̃, ne a champty, ne
auter maner, tanq̃ come le choſe eſt en p
deuant nous, ou deuant bl' d nous minu
ne nul lower ent ſoit pris. Et q̃ encount
ceſt choſe face, ou per luy ou par auter,
nul bargaine ent face, ſoit puni a la volu
le roy auxibien celuy que le purchaſera c
celuy que le fra 11. E. 1. champartie 1.
ticuli ſuper chartas ca. 11.

50 ¶ Omnia prædicta ſtatuta incipiant c
ſeruari ad feſtum ſancti Michaelis proximo v
turum, ita quod occaſione aliquorum delictor
contra aliquod prædictorum ſtatutorum citra p
dictum feſtum perpetratorum, pœna delinqu
a

is) de quibus mentio fit in ſtatutis, non infli-
gur.

¶ *Accion vpon the ſtatute 1. cap. 51.*

¶ Super vero ſtatutis in defectum legis & ad
mediа editis, vt diutius querentes cum ad curi-
am Regis venerint recedant de remedio deſ-
perati, habeãt breuia ſua in ſuo caſu pro-
uiſa, ſed non placitant̃ vſque ad
feſtum ſancti Michaelis
ſupradictum.

¶ Explicit ſtatutum de weſtm̃
ſecond.

Statutum de Mercatoribus edit̃ Anno xiij. E. j.

¶ *Recogniſaunce &c. 2.*

PUr ceo que merchants, queux auant ceux heures out a preſt lour auoier a diuers gentes, ſont chies en pouertye, pur ceo que nauoient pas ſi readye ley parueu, pur la quel purroyent lour dettes haſtiement re- cierer au iour aſſes de la paye, et per encheſon, ſount multes des merchaunts ſuſtretes de vener en cel terre oue lour

 mer-

merchandiſes, au dam̃ des merchantes &
tout le Roialme: noſtre ſigniour le Roy p
luy & per ſon counſel a ſon parliament qu
tient a Acton Burnel, apres la ſeint M
chael, lan de ſon raigne xi. fiſt & ordigne
eſtabliſhmentes ſur ceo, a remedie des me
chantz les queux ordeinementes & eſtabliſ
ments le roy comaunda que tenus fuiſſe
et firmement gardes en tout ſon roialm̃, d
merchantes ount ewe remedi & meins d
miſchieues & trauailes de recouer lour de
que auant ne ſoilent Mes pur ceo que m
chantes puis ſoy pleindront au roy que
vic malement interpretont ſon eſtatute
aſcune foitz per malice & per male interp
tation delaieront lexec del eſtatute, au gr
dam̃ des merchants. Le Roy a ſon parlia
a weſtm̃, apres la Paſche, lan de ſon raig
xiij. fiſt reciter lauantdit ſtatute fait a A
Burnel, & pur declarer aſcuns articles
leſtatute auantdit, ad ordeigne & eſtablie q
merchant que voit eſtre ſure de ſa dette, f
venir ſon dettour deuant le Maior de Lo
dres, ou deuant ‡ auter ‡ chiefe gardein de
citie, ou dauter bon ville, ou le roy ordigi
et deuant le maior ou chief gardein ou a
ter probe home a ceo eſlieu & iure, quan
le Maior ou chiefe gardeine ne poiẽt a
entender, & deuant vn des clerkes q̃ le r
a ceo aſſignera, quant ambideux ne poien
ceo entend, conus la dette & le iour de le p
ment, & ſoit le recogniſans enrolt de le m
dune des auantdit clerkes que ſerra com

le roule ſerra double, dont lun demurge
rs le maioꝛ ou chiefe gardein, et lautet
rs le clerk, que a ceo ſerra pꝛimes noſme.
t ouſter ceo vn des auandit clerkes de ſon
ine face leſcript del obligatiō, a q̄ eſcript
it miſe le ſeale del dettoꝛ, oue le ſeal l' roy
a ceo eſt purueu: le quel ſeale ſerra d̄ deux
eces, dont le greinder pece demurrera en l'
rd̄ le Maioꝛ, ou le chiefe gardeine, & lau-
r pece en le maine le auantdiſt clerke. Et
e dettour ne rendꝛa le dett au iour que a
y eſt aſſigne, cy veigne le Marchant al
aioꝛ et clerk oue ſon letter del oblig. Et
troue ſoit per rolle, ou per letter, q̄ la dett
it conus, & la iour ‡ de paiment ‡ aſſigne,
it paſſe, cy face le maioꝛ ou chiefe gardein
endꝛe le coꝛps le dettoꝛ (ſil ſoit lay) quel
ure q̄ il ſoit troue deins lour poworꝛe, a ly-
r al pꝛiſon de la ville, ſi pꝛiſon y ſoit, et la
murge a ſez coſtagez ꝑpers. ieſq̃ a tāt q̄l
fait gree de la det. Et commaund̄ eſt q̄ la
rdein de la pꝛiſon de la ville le reſceiue p
lyuery del Maioꝛ, ou le chiefe gardeyne.
t ſi ne luy voile reſceuer, cy reſpoign̄ mai-
nant le gardein de la pꝛiſon de la det, ſil ad
quoy, et ſil nad de quoy, reſpoigne celuy
e la pꝛiſon̄ luy baile a garder. Et ſi le
ttoꝛ ne puit eſtre troue en le power le ma
, ou le chiefe Gardeyne, donques maūde
Maioꝛ ou chiefe gardeine deſouth l' ſeal
l roy auantdit al chaunc̄ la recogniſ. fait
la dett. Et le chaunc̄ enuoyera bꝛiefe al
cont en que baily le dettour ſerra troue,

que il preigne ſon corpes, ſil ſoit laye, et e
ſafe priſon luy gard, ieſques a taũt quil a
fait grœ de la dette. Et de deins vn quarte
del an apres ceo que il ſerra priſe, eit les cha
teux et ſes terres deliueres, iſſint que p le
ſoiens puiſſe leuer et paier la dette. Et bie
luy liſt deins cel quarter del an, terres & te
nementes vendre pur ſes dettes acquiter
& ſa vende ſerra ferme & eſtablye. Et ſil n
face grœ deins le quarter, apres le quarte
paſſe ſoient liueres al merchant toutes le
biens del dettour, & touts ſes terres per re
ſonable extent, a tener ieſque a taunt que
dette ſerra leue pleinmẽt. Et la le pluis tar
le corps demurge en priſon, come deuant e
dit. Et le merchãt luy troua pane & ew
Et eit le merchant en ceux tenemẽtes liue
res a luy, ou ſon aſſigne tiel ſeiſinè quil pu
iſſe porter briefe de nouel diſſeiſine, ſil ſoy
engette, & rediſſeiſine auxy come de frankte
nement, a teñ a luy & a ſes aſſignes, tanq l
dette ſoit paie. Et apres la dette leue et pa
ſoit le corps le dettour deliuer̃, oue ſa terre
Et en les briefes que le Chaunc̃ enuoyera
ſoit mẽciõ fait; que le viſc̃ certifiera les iuſ
ces de lune banke ou de lauter, coment il a
uer̃ perfourme le cõmaundemẽt le roy a v
certeine iour: a q̃l iour le merchant, ſi ſõ gre
ne ſoit fait, ſua deuant les Juſtices. Et ſi l
viſc̃ ne retorñ nul brief, ou retorñ que le br
vient trope tard, ou quilz ont mañdes as be
liſes des fraunchiſes, ſi facent les Juſtice
ſolonq ceo que eſt contenue en le darreyn
eſta

ſtatute de weſtminſter ſecũ.ca.39. Et ſi y cas
bicõt maũd que le dettour neſt pas troue
a ſoit clerke, cy eit le merchãt brẽs a toutʒ
s vicontes ou il auera terre, quilʒ luy liue=
ent touts les chateux, et toutʒ les tenemẽtʒ
dettour per reaſonable extent, a teñ a luy
a ſes aſſignes en la fourme que eſt auant
t. Et ialemeins eit brief a quel viſcont q̃
voudra, de prender ſon corps ſil ſoit laye,
a tener en la fourme auantdit. Et byen
y garde le gardeine del priſon, que luy co=
endra reſponder del corps, ou de la dette.
t apres ceo que les terres le dettour ſont
ueres al merchant, bien purra le dettour ſa
rre vendre, iſſint que le merchant neit da=
ages de les approuemẽts. Et ſalues ſoy=
t toutʒ iours al merchantes, damages, et
uts coſtages neceſſaries et reaſonables en
auailes, ſutes, delaies, et diſpenſes. Et ſi
dettour troua pledges que ſe conuſt eſtre
incipales dettours, apres le iour paſſe ſoit
it de les pledges en touts choſes come de=
nt eſt dit de le principalle dettour quant a
rps prendre, et terres liuerer, et auters
oſes. Et quant les tres les dettours ſoi=
t liueres au merchãte: il eit ſeiſin de toutʒ
rres queux fuerunt en la maine le dettour
iour de la reconuſance fait, en que maines
e ilʒ ſerront apres deuenus, ou per feoffe=
ent, ou per auter mater. Et apres la dette
ie les tres et iſſues des terres des dettorʒ
r feoffement, retournent auxibien arrere al
offes, come les auters terres as dettours.

Et ſi le dettour ou les pledges mourge,net
le marchant power de pꝛendꝛe le coꝛps de
heire,mes eit ſes terres,come auant eſt dit
ſil eſt dage:ou quant il ſerra de pleine age
leſqȝ a tant que il ad leue des terres le a
mountance de la dett. Et ſoit purueu vn s
ter ſeale q̄ ſeruera a faires. Et icel ſeale ſe
ra enuoy a cheſcun faire deſouth le ſeale
Roy,per vn clerke iure ou per le gardein
la faire. Et per le cominaltie des Ma
chantes de la city de Londꝛes , ſoient ell
eus deux loialx marchaunts,queux facent
ſerement,& deuaut eux ſoit le ſeale ouert,
lun pæce ſoit baile a les auantdiſts ma
chants,& lauter demurge vers le clerke,
deuant eux,ou de lun des marchants,ſi an
bydeux ne poient attendꝛe,ſoient les con
ſanſes faits,ſicome auant eſt diſt. Et au
ceo que le recogniſaunce ſoit enrole,ſoyt
peine del auauntdit eſtatute appertemen
lie deuant le dettour , iſſint que il ne pu
iſſe auterfoits dire, que vn luy miſt a aut
peine que a tel a que il ſoy oblig. Et a ſuſte
ner les coſtages de lauātdit clerke, ſi pꝛēd
le roy de cheſcune li.i.d en cheſcune vill o
le ſeale ſerra mis,foꝛſpꝛiſe faires,ou il pꝛ
dꝛa trois mailles de ‡ cheſcune ‡ li. Ceſt oꝛde
nemēt & eſtabliſhmēt voit le roy,que deſoꝛ
mes ſoit ten9 p tout ſō roialme Dēgleterr
& Direlād entre q̄l gents que ceo ſoit qui
lour eigh̄ degree,celz reconuſ. voudꝛōt fai
foꝛpꝛis Jewes,as queux ceſt eſtabliſhmen
ne ſe extend. Et p ceſt eſtatute & eſtabliſ
me

…t ne ſoit bře de det abatus. Et ne ſoit le …icell', barons del eſchequer, Juſtices de …: & de lauť banck, ne iuſtiť errãts forclos …e ꝛendř reconuſ. des dets deuant eux faitz …nus, mes les executions de reconuſ. de… t eux faitz ne ſoiẽt pas faitz per la forme …itdit, mes per la ley & luſage auant vſes …rueux aillours ẽ auter eſtatutes ‡ vz W… .45. ‡ bře fundatũ ſup ſtatutum ꝑdicť …ex vic' ſaltm̃. Quia coram tali maiori, vel cuſ… talis villæ, vel coram cuſtode ſigilli nr̃i de mer…ibus in nundinis de tali loco, & tali clerico …recognouit A. ſe debere B, tantum, quod ſol… debuit tali die et tali anno, quod idem B. nõ… ſoluit, vt dicit. Tibi precipimus, quod corpus …icti A. ſi laicus ſit capias, & in priſona noſtra … cuſtodiř facias, quouſque predicto B. de pre…icto debito plenarie fuerit ſatisfactum. Et qualiter hoc præceptum noſtrum fueris execuť, ſcire facias iuſtic' noſtris apud weſtm̃ &c. p litteras tuas ſigillatas. Et habeas ibi hoc breue. teſte. &c.

¶Statut' de VVeſtm̃ 3. edit'. Añ. xviij. E. i.

¶Tenure. 4.

QVia emptores terr
& tenementorum
feodis magnatum
aliorum dominoru
in preiudicium eo
dem, temporibus
troactis, multotiens
feodis ſuis ſunt in
quibus liber̃ tener
eorundem magnati
& aliorum terras &
nementa ſua vendiderunt, tenend' in feod' ſibi
heredibus ſuis de feoffatoribus §& heredibus §
& non de capitalibus dominis feodorum, per qu
ijdem capitales domini eſchaetas, maritagia, & c
ſtodias terrarum & tenementorum de feodis ſ
exiſtentium ſepius amiſerunt, quod quidem eiſd
magnatibus & alijs dñis quam plurimum duru
& difficile videbat̃, & §ſic§ in hoc caſu exhereda
manifeſta. Dominus rex in parliamento ſuo ap
weſtm̃ poſt Paſch. añ regni ſui xviij. videlicet
quindena ſancti Ioh. Bap. ad inſtantiam magna
regni ſui, conceſsit prouidit, & ſtatuit quod de cet
ro liceat vnicuique libero homini, terras ſuas, ſ
tenementa ſua, ſeu partẽ inde ad volũtatẽ ſuã vend
re, ita tamẽ qd' feoffatus teneat terram illã, ſeu t
illud de capitali domino feodi illi⁹ per eadẽ ſerui
& conſuetudines, per que feoffator ſuus illa pri

eo§tenuit.
t ſi partem aliquam earundem terrarum, ſeu te-
nementorum alicui vendiderit,feoffatus ille § par-
tē§illam teneat immediate de capitali domino,&
ſtatim de ſeruicijs quantum pertineat ſiue per-
re dz eidem capitali domino pro particula illa,
ndum quantitatem terre ſeu teñ ſic venditi . Et
n hoc caſu decidat§eidem§capitali domino ip-
ars ſeruitij per manus feoffati capiend' ex quo
fatus§debet§eidem capitali domino,iuxta quā-
em terr̃ ſeu teñ venditi de particula illius ſerui-
c debiti eſſe intendens & reſpondens. Et ſcien-
n eſt quod per predictas venditiones, ſeu emp-
es terrarum,ſeu teñ,aut ptis alicuius earundem,
o modo poſſint t̃re ſeu teñ illa in part̃ vel in toto
nanum mortuam deuenire,arte vel ingenio cō-
ormam ſtatuti ſuper hoc dudum editi§7.E.1.
eligioſis.§ Et ſciendum eſt quod iſtud ſtatut̃
at locum de terris§ſeu teñtis§venditis tenend' in
odo ſimplici tantum.Et quod ſe extendat ad
tempus futurum- Et incipiet lo-
cum tenere ad feſtum ſancti
Andree apl̃i proximo
futur̃.Añ.regni
regis E.filij
regis H.
xviij.

Explicit ſtatut̃ weſtmiñ iij.

¶ Modus leuandi fines edit'
An .18. E. primi.

¶ Fines. 3.

QUant le brief orig
nal ſoit lie en p
ſence des parti
deuãt Juſtices, d
ques dirra vn cou
tour iſſint. Sir u
tice, cõnge daccor
Le Juſtic̃ luy d
q̃ dirra. Sir R
bert, & noſmera
des parties. Do
quant ils ſerrõt agrée de la ſumme del pec
ue que eſt done al roy donques dira le iuſ
Cries la peace. Et puis dira le countour, i
ſint que la peace eſt tielk, a vous conge, q
william & Alice ſa feme, qui cy ſont recogn
ſont le maner de B. oue les appurtenaunc
contenus en le brẽ, eſtre droit du R. cõe ce
que il ad de lour done, a auer et tener a luy
& ſes heres, de W. et Alice, & les heires
come en demeſne, rents, ſeigniouries, cour
plées, purchaſes, gard̃ mariages, reliefes, e
chetes, molins, auowſõs de eſgliſes, & tou
auters franchiſes, & franke cuſtomes al
uantdits mañ appertenant, rendant per an
N. & ſes heires chiefes ſeigniours de fée, ſ
uice due, & cuſtomes pur touts ſeruices.
fait aſſauoir qui order de ley ne ſuffre my
que final accorde ſoit leue en la courte le r
ſa

ins briefe original, & ceo a tout le meins
uant iiij. Justices en bauke, ou en eyre, &
n pas aillours, & en preſence des parties
meſmes en briefe, queux ſoient de pleiñ age
de bone memorie, et hors de priſon. Et ſi
ne couert de baron ſoit vn des parties,
nques couient que el ſoit primerment cō=
ſe d iiii. iuſtices auauntditz. Et ſi el naſ=
ſit al fine, ne ceo liuer mie. Et la cauſe pur
e tiel ſolempnitie doit eſtre fait en cel fiñ
, pur ceo que fine eſt ſi haute barre, et de
graunde force, et de ſi puiſſaũt nature en=
, que el forclos nemy ſolement ceux que
ſit parties et priues a la fyne, et lour hey=
rs, mes toutes auters gents d mũde, q̃ux
ſit de pleiñ age, hors de priſon, et de bon
memorie, et deins les iiii. meres, le iour
del fine leue, ſils ne mettront
lour claime de lour acci=
on pur le pais, deins
lan et le iour.
‡ vide placi=
to fo. 354.

¶ Statutum de vocat̃ ad war
editum Añ xx. E. j.

¶ *Voucher 5.*

CVm tenens implacitatus in placito ten
temporibus retroactis vocauerit aliquẽ a
warrant̃, & petẽns ſuper hoc verificare vo
luerit quod nec vocatus, nec aliquis an
teceſſorum ſuorum a tempore ſeiſine § an
teceſſoris § ipſius petentis fuerit in ſeiſina de teñ
dictis, nec in dominico nec in ſeruitio, ſed ſi ille vo
catus ad warrant̃ fuerit preſens & gratis tene
warrantizare voluerit, predicta verificatio pete
tis admitti non conſueuit, niſi vocatus abſens f
erit, & hoc ratione cuiuſdam ſtatuti domini Re
nunc, editi inter cetera ſtatuta § ſua p̃m VVeſtm̃ c
pit̃ 39. § propter quod dominus Rex animadue
tens fraudem, deceptionem, & maliciam, & etia
damnum ſuum, & exheredationem coronæ ſuæ
in caſu predicto in curia ſua multociens poſſet i
teruenire, & iſto die interuenerit. Cum quida
tenẽtes de ipſo Rege in capite per baroniam int
gram in quodam placito pendente coram Iuſtici
de banco vocauerint ad warrant̃ de demãda pa
ticulariter quoſdam garciones ignor̃, & extrane
quos preſentes duxerint, & quorum anteceſſo
aut ipſimet, nunquam in teñ que warrant̃, aliqu
habuerint, aut in aliquibus terris aut teñ alijs
regno ſuo, neque in dominico, neque in ſeruit
(ptout a diuerſis domini Regis fidelibus teſ
bant

ir) vt per cautellam illam, fraudem, & malici-
ipſi per baroniam tenentes auferre poſſent dño
e miſericordiam ſuam, in quam inciderint, ſi
ns verſus eos demandam ſuam recuperaret. Et
liter cum garciones warrant̄, vc'z quilibet de
ione quam warrant̄ debet in caſu vbi duellum
, poſsit ſe defendere per corpus ſeruientis ſui
iſi, & conducti per ipſos baroniam tenen-
Et ſic ſuper vno breui, & vna demaſida iam
int duo vel tria duella vadiata, q durum eſt,
emplum pernitioſum tempore futuro p pau-
us petentibus verſus magnates & diuites, qui
r maliciam predictam defendere voluerint,
etens contra dictos warrant̄, quando vocati
nt verificationem ſuam in forma predicta ha-
poſsit, eo quod ipſi vocat̄ preſentes fuerint, &
s warrant̄: dominus rex de conſilio ſuo com-
i, ſtatuit, & firmiter de cetero, videlicet a feſto
ti Hillarij, anno regni ſui xx. precepit obſerua-
quicunque tenens aliquem vocauerit ad war-
nt̄, & petens in forma predicta verificare
voluerit, addmit̄ eius verificatio, ſiue vo-
catus fuerit abſens, ſiue preſens,
nullo habito reſpectu ad e-
ius preſentiam vel ab-
ſentiam.

¶ FINIS.

¶ Statut de defenſione iuris, edit Anno xx.E.j.

¶ Reſcripte. 2.

CVm quis aliquod breue domini Re
impetret verſus tenent per legem Ang
vel feodum talliatum, vel ſub nom
dotis, vel alio modo, ad terminum
tæ, vel annorum, & petens tant
fuerit proſecutus, quod tenemt ſunt quaſi
mittenda ‡ & ſibi adiudicanda ‡ & ſuper
venerit alius ante iudicium redditum a latere,
cens ſe habere feodum & ius in tenementis
& curiam ſupplicauerit, quod ex quo ante iu
ciū venerit tenemt ſua defendere, & paratur
de petenti reſpondere, ad hoc admittatur rati
cuiuſdam ſtatuti domini Regis nunc, inter ce
vltima ſtatuta VVeſtm edita§5.w.2.cap.3.§
quod ſtatutum tam nullum ius habentes, qu
illi qui ius habent multociens in caſu predi
falſo & in deceptionem curiæ ſuperuenerint,
petierunt ſe admitti reſponſuri, vt per
miſsionem ſuam poſſent petentem elongare
iudicio, & ſeiſina dd'e ſue habende, & ad
ciendum eoſdem petentes de nouo placitare,
ſic petentes in caſu predicto in curia Regis
pius elongantur a iure ſuo, per malici
ſupradictam, tam de falſitate de predicto ſ
tuto ſuperueniente, quam ex iuſta cauſa ra
nabili, & hoc coram iuſticiarijs multociens c
tingit & inuenitur, propter quod dominus rex

liciam predictam in predicto caſu deſtruend̄, remedium volens apponere, in pleno parliamento ſuo ex communi conſilio ſuo ſtatuit, & firmiter de cetero, videlicet a die lune proximo poſt feſtum purificationis beatæ Mariæ virginis, anno regni ſui viceſimo precepit obſeruari, quod cum aliquis a modo ante iudicium in caſu predicto ſuperuenerit & petierit ſe admitti, antequam admittatur inueniet ſufficientem ſecuritatem prout curiæ viſum fuerit, ad reſpondendum petenti de valore tenementorum ſic amittendorum a die quo recipitur reſponſur̄, vſque ad diem quo iudicium finale fiet per petitionem petentis. Et ſi ille petens demandam ſuam recuperet, grauiter amercietur defendens, ſi habeat vnde. Et ſi non habeat vnde, committatur gaole, ad voluntatem regis. Et ſi verificare poterit ius ſuum eſſe tale, quale id aſſerit quando petit ipſum admitti, tunc ſit quietus.

¶ Explicit.

Stat̄ de finibus leuatis, editum Anno xxvij. E. j.

¶ *Fine* 1. *Cap*. 1.

QVia fines in curia noſtra leuat̄ finem litibus debent imponere, & imponunt, & ideo fines vocantur, maxime ‡ cum ‡ poſt duellum & magnam
M. j. aſſiſam

aſsiſam in ſuo caſu vltimum locum finalem ten in perpetuum, iamque per aliquod tempus pre ritum, tam tempore claræ memoriæ domini He rici regis patris noſtri, quam noſtro, partes eoru dem finium & earum partium heredes (contra ges & cõſuetudines regni noſtri antiquitus vſit ſuper huiuſmodi finibus adnullandis & euacua dis admittebantur, proponentes quod ante fine leuatum, & tempore leuationis eiuſdem, & poſt petentes, ſeu querentes, aut eorum anteceſſores tenementis in finibus contentis, aut de aliqua pa eorundem, ſemper fuerunt ſeiſiť, & ſic fines hui modi rite leuať per iuratores patriæ falſo ſuborr tos, & malicioſe procuratos, multociens euacuat tur & adnullabantur minus iuſte. Nos volen ſuper premiſsis remedium adhibere, in parliame to noſtro ad weſtm̃ ſtatuimus, quod dicte exce tiones, ſeu reſponſiones vel inquiſitiones patri ſuper huiuſmodi exceptionibus ſeu reſponſio bus nullo modo contra huiuſmodi recognition & fines de cetero admittantur. Et nos vero vol mus, quod ſtatutum iſtud tam locum habeat fines prius leuatos, quam in poſterum leuand Et videant Iuſticiarij, quod note, & fines in cu noſtra in poſterum leuandi, publice & ſolemni legantur, & quod placita interim ceſſent omnin & hoc fiat per duos dies in ſeptimana, ſecundu diſcretionem Iuſtic'.

Shirif

Shiriffes 1. Cap. 2.

¶ Item ordinauimus de conſilio noſtro, quod
ecom̄ de cetero non onerentur de aliquibus exit̄
and̄, nec aliquos leuent, antequam exeant de
ccario per extractas iuſtic' ibidem liberandas.
quod in extractis Iuſtic' ſingula capita onerent̄
exitibus ſuis forisfactis, ſicut & de amerciamē-
. Et ſi forſan aliquis vicecom̄ reſponderit de ex-
ous alicuius recognitoris, vel plegij, ſeu manu-
otoris per ipſum oppoſiti, & in curia noſtra re-
nati qui ad ſolutionem eorundem exituum ſeu
erciamentorum tempore retorni non ſufficiat,
m vicecomes ad ſcaccarium noſtrum inde one-
ur & reſpondeat. Et caueant ſibi vicecomites
graui forisfactura quod de cetero faciant ſin-
lis, tallias de denarijs quibuſcunque per precep-
n noſtrum per ipſos vicecomites & ſubditos ſu-
receptis. Et quod non retornent alicubi no-
na manucaptorum, iuratorum, ſeu aliorum,
ī ipſi manucaptores, iuratores, ſeu alij, ſecun-
m tenorem breuium noſtrum vicecomit' inde
ectorum, ad hoc legaliter & manifeſte ponan-
. Nec retornent aliqua nomina plegiorum
erorum hominum, niſi ipſi manifeſte ſe ple-
os conſenſerint. Et ſuper hoc ſtatuimus,
od quolibet anno ſemel in anno mittantur
us baro, & vnus clericus de dicto ſcacca-
neſtro per ſingulos comitatus Angliæ, ad
ibreuiandum nomina omnium, qui anno illo
bita per veridem ceràm ab eis exacta ſolue-
it. Et ijdem baro & clericus, tallias illas

videant,& imbreuient, & audiant & termin
querelas ſuper vic',& clericos ſuos, & balliuos
tra premiſſa venient,& grauiter puniant tranſgr
ſores.

3 ¶ Quia vic', & alij,temporibus retroa
latrones notorios,& manifeſtos, & pro mort h
minis,& alijs felonijs captos & impriſonatos,
qui non ſunt replegiabiles, per pleuiñ dimi
runt, contra formam ſtatuti noſtri apud VVeſ
editi de his qui ſunt replegiabiles, & qui non
VV.1.cap.15.§ per quod ipſi malefactores ir
plegiabiles,ſunt replegiati. ad quorum delibe
tionem falſo facienđ, iuratores patriæ per ſe &
micos ſuos; ante aduentum iuſtic' itinerantiu
aut aliorum ad eorum deliberationem aſsignar,
curant & ſubornant, alijſque minanť, prop
quod tam propter metum vic', & aliorum per
lem pleuinam illos dimittentium, quam tim
rem eorundem latronum ſeu felonum ſic delib
raŕ, coram Iuſticiarijs ad gaolas deliberandas
ſigñ huiuſmodi latrocinia & homicidia ſuffoca
tur,& ipſa ſic concelata penitus remanent imp
nita: Nos pro vtilitate regni noſtri,& pace no
firmius obſeruanda, ſtatuimus & ordinauimus
Iuſticiarij ad aſsiſas capiendas aſsignati, in ſing
lis comitatibus, vbi capiunt aſsiſas (prout ordina
eſt, ſtatim poſt aſsiſas captas in eiſdem comitat
bus.remaneant ambo ſi laici fuerint. Et ſi vn
ipſorum clericus fuerit, tunc aſſociato illi iuſt
qui laicus eſt, vno de diſcretioribus militibus c
mitatus illius,per breue noſtrum deliberent gaol
in com̃ illis tam inſra libertatem quã extra de pr
ſor

ſonarijs quibuſcunque, ſecundum formam deli-
erationis gaolæ comitatuum illorum haƈtenus
ſtatam. Et ijdem iuſticiarij tunc inquirant qui
c. & alij, priſonarios irreplegiabiles per pleuin.
miſerunt, vel in aliquo contra formam ſtatuť pre-
ƈti nuper apud weſtminſter ediť, deliq̄rint: et quos
lpabiles inde inuenerint ∫ipſos∫in omnibus ſecū-
um formam ſtatuť prediƈti puniant & caſtigent.
8.E.1.de appellať.

Niſi prius. *Cap.4.*

Item cum ſtatuerimus, quod nullus ponať alicu-
extra cōm in recognitionibus, inquiſitionibus, &
atis aliquibus, qui minus quam C.s.terř, vel red-
habeat, per quod tam ipſi q̄ plus terre habentes
pter frequenť, tam ad ſcm̄ noſtrum quam co-
n iuſtic. noſtris de vtroque banco ſummonitio-
s, depauperentur. ∫21.E.1.de ponendis in aſsiſis
iuratis∫ Nos tanť intolerabilem populi noſtri ia-
ram aduertentes, non ſolum ad eorund' iurato-
n exonerationem, ſed etiam ad celerem partibus
curia noſtra placitantibus iuſtitiam exhibend':
tuimus & ordinauimus, quod inquiſitiones &
ognitiones coram iuſtic. de vtroque banco de ce-
o adiudicande, capiantur tempore vacationis co-
n aliquo iuſtic' eorundem, coram quibus placi-
n deduƈtū fuerit, aſſociato ſibi vno milite cōm il-
vbi tales inquiſitiōes emerſerint, niſi fuerit inqui-
o, magna indigēs examinatione. Et ſic in hm̄i in-
iſitionib⁹ capiendis de cetero fiat prout iuſtic. ad
litať regni noſtri potius eſſe videriňt faciend,
M.iij. non

non obſtante ſtatuto nuper apud VVeſtm̃.‡2.cap
30.‡ſuper huiuſmodi inquiſitionibus capiend' edi
continent quod ſi omiſſa forma in ſtatuto illo or
dinat aliquæ inquiſitiones capiantur, pro nullis pe
nitus habeantur. Dat apud VVeſtm̃ ſecundo di
April. Ann̄. regn̄. noſtri xxvij.§12.E.2.capit.3.D
ſtatuto Eboracenc'.

¶Explicit ſtatut de finibus
leuatis.

¶Atticuli ſuper Chartas, edit
Anno.xxviii,E.i.

PUr ceo que les pointes de la graun
Charter, des fraunchiſ. & de la fore
les queux le roy Henrye pier noſt
ſeigniour le roy que ore eſt, graunta
ſō people pur le priuie de ſon roial
ne ont pas eſte tenus, ne gardes auaūt ce
heures, pur ceo que auaūt ces heures pein
ne fuit eſtablie vers les treſpaſſants coun
tre les pointes des Charters auauntditez.
Noſtre ſeignior le roy les ad de nouel gra
renouel et confirme, Et a la requeſtes de
prelates, counteez, & barons a ſon parliam
a Weſtminſter, en quareſme, lan de ſon reig
xxvij. ad certaines points affirm̄, & pein̄ o
deigne, et eſtable encounter touts iceux, q
encounter les pointes des auauntditz cha
te

ters ou nul poynt de eux, en nul maſ vyen=
dôt, ou miſprẽdrẽt, en la fourm̃ q̃ ſenſuit.

¶Confirmation. 2.

CCeſtaſcauoire que de cy en auaunt la
graund charter des fraunchiſes Dengletre,
grant a tout la commune Dengleterre, et la
charter de la foreſt en meſme le maner grãt,
ſoyent tenus, gardes, & maintenus en cheſ=
cune article, et cheſcune point, auxi plein=
ment come le roy les ad graunt, renouele,
par ſa charter confirme. Et que cels char=
ters ſoient baillez a cheſcune viſcount Dẽ=
gleterre deſoubes le ſeale le roy, a lier qua=
tre foitez par an deuant le people en playne
countie: ceſtaſcauoir au procheine countie
apres la ſaint Michell, au procheine cõutie
apres le noel, au procheine countie apres la
paſque, et au procheine countie apres la
ſaint John Baptiſt. Et a ceux deux char=
ters en cheſcune point, et en cheſcune arti=
cle dicel, firmement tenir, et garder ou re=
medye ne fuit auant par la common ley, ſoi=
ent eſlieus en cheſcune countie per la cõmen
de meſme la countye troys prodes homes
chiualerz ou auters loialx, ſages, et auiſes,
que ſoient iurez et aſſignez per les letts le
roy ouẽts de ſon grande ſeale, de oyer et ter=
miner, ſans auter briefe que lour commen
dant, lez pleintez que ſe ferront de toutez
ceux, que contreuiendront ou meſpren=
dont en nul dez ditz pointez des auaunt=
ditz charterz en cõutiez ou ilz ſõt aſſignes,
auxibien dedeins franchiſes, come dehorz, &

auxibien des miniſters le roye, hors de lou
places, come des auters, & les pleintes oye
de iour en iour ſauns delay: & les terminen
ſans allower les delaies, q̄ ſōt allowes p
la comen ley. Et que meſme ceux chiualers
eyent poier de punier touts ceux que ſerror
atteints de treſpas fait encounter vl poi
des chartres auauntdits, ou remedy ne fu
auant per la comen ley, auxi come auaunt e
dit, par imprisonment, ou par raunſom, ou
amerciament, ſolonque ceo que le treſpas
demaūd. Et per ceo nentend pas le roy,
nul des ſoiens que a ceſt ordeignement fu
rent, que les chiualers auantdits, teigne
nul plæ par le power que done lour ſoit,
cas ou auant ces heures fuit remedy puru
ſolonq; la comen ley par briefe: Ne q̄ prei
dice ſoit fait a la comen ley, ne a les charte
auantdits, en nul de lour points. Et voet
roy, q̄ ſi touts trois ne ſoient preſentes,
ne purront a touts les foits attendre, a fa
lour office en la forme auantdit, q̄ deux d
trois le facent. Et ordeign̄ eſt, q̄ les viſcō
& les baillifs le Roy ſoient attendātes a l
cōmandemēts des auantdits Juſtices,
quāt q̄ appēt a lour office. Et ouſtr̄ ces ch
ſes grātes ſur les points des charts auā
dits, le roy de ſa grace eſpecial, en alleua
des greuances, que ſon people ad ew par l
guerres que ont eſtre, & en amendement
lour eſtate, & par tant q̄ ils ſoiēt plus pr
tes a ſon ſeruice, & plus volūtiers aidant
qn̄t il en aueī a faire: ad grant aſcūs artic

li queux il entend que tyendꝛont auxi bien
la a ſon people, & auxi graunde pꝛofite
front, ou plus, que les pointes auant
gintes.

Purueiours.4.& 5. Cap.2.

¶ En pꝛiues pur ceo que vn grād greuāc.
e en ceſt roialme, & dam̄ ſans number, de
ce que le roy & ces miniſters de ſa roialm̄,
auxibien les aliens come les denizens, font
lour pꝛiſes par la ou ils paſſēt par my lꝫ roi=
alme, & parnent les biens des gēts, des cle=
rꝭ, et des lais, ſans rien paier, ou vn̄ meins
qꝫ la value. Oꝛdeine eſt, que de cy en auant
nul ne pꝛeigñ pꝛiſes par mie le roialm̄, foꝛſq̄
li parnours le roy, et les purueiours pur
hoſtelꝫ le roy. Et q̄ les pnours le roy, et pur-
ueiours pur ſon hoſtelꝫ ne pꝛeignent ryens,
forſqꝫ pur meſm̄ lhoſtelꝫ. Et des pꝛiſes que
ils ferroūt per mie le pais de manger ou de
boire, et des auters menus neceſſaries pur
hoſtelꝫ, que ils facent la paie ou grée a ceux,
des queux les choſes ſerront pꝛiſes. Et que
toutes ceux parnours le roy, purueyoures,
et achatours, eyent de cy en auant lour gar=
rantie oueſque eux du graunde ſeale ou vn
petite ſeale le roy, conteignant lour poiar, et
les choſes dont ils ferrōt pꝛiſes, ou purueī=
ance, le quel garrāt ils mōſtrent a ceux des
queux ils ferront la pꝛiſe, auant ceo que ils
ēpꝛeignēt rien. Et que ceux parnourꝫ pur=
ueyours, ou achatours le roye, ne pꝛeignent
plus que beſoigne et meſtre ne ſoit pur lꝫ roy
et ſon hoſtelꝫ, et de ces enfants. Et que riēs

nē

ne pꝛeignent pur ceux que ſont as gages, pur nul auter. Et que ils reſpoignent ē lo tell, ou en la gardꝛobe pleinment de toute lour pꝛiſes, ſans faire lour largeſſes ailloꝛ ou leueries des choſes, que pur le roy ſerrē pꝛiſes. Et ſi vl parnour del hoſtel le roy, garrantie que il eſt, face pꝛiſes, ou liueres e auk maner, que deſuis neſt dit, per plait fa al ſeneſchall, & au treaſorer del hoſtel le ro ſoit la veritie inqſe. Et ſi de ceo ſoit attai ſoit gree maintenant fait al plaintife, & ſo ouſte de ſeruice le roy pur toutes iours, demurge en pꝛiſon a la volunte le roy. Et nul face pꝛices ſans garranty, & les empo encounter la volunte de celuy, a que les bi ſont, ſoit maintenant arreſt par la ville, c le pꝛiſe ſerra fait, & ameſñ a la pchein gao Et ſi de ceo ſoit attaint, ſoit la fait d lui, c de larō, ſi la quantitie des biens ceo deman Et quant as pꝛices faitez en fairez, & en bē villes, & en poꝛtes pur la graūde gardꝛo le roy, eient les parnours lour commē ga rant par le grand ſeale. Et des choſes q ils pꝛendꝛont, eient la teſmoigñ du ſeale d gardein de la garderobe. Et des choſez iſſi p ceux pꝛiſes, de nombꝛe, de quantitie, & balue ſoit fait diuidēd entre les parnourz les gardeins des fairez, maioꝛs, ou chief baylliès des villes et poꝛtes, par le vieu merchantes des queux les biens ſerront ſtint pꝛiſes. Et rienz ne luy ſoit ſuffer de dꝛe, que il ne mette en diuidende. Et cel diu dende ſoit poꝛt en gardꝛobe ſoubes le ſea

ırdeine,maioꝛ,ou chiefe baillife auātditz demurge tanqȝ ſur laccompt du garde: le roy. Et ſil ſoit troue q̄ vl eit aut t pꝛiſe que faire ne deueroit, ſoit puny laccompt par le gardeine de le gardꝛobe oy,ſolonqȝ ſa deſerte. Et ſi vl face tyelx es ſās garrante,et ſur ceo ſoit attaynt, fait de luy come de ceux que ſont pꝛi pur loſtelt le roy ſans garř, come deſuis yt. Et nentende mye le roye, ne ſon ıſaile, que par ceſt ſtatute rien decreſſe oy de ſon dꝛoyt des auncient pꝛiſes dues cuſtomes, come des vines, et auters s:meſque en toutes pointes pleynment ſoit ſaue.

¶Marſhalſie. 1. Cap. 3.

Des eſtates des ſeneſchalx, & des mar x,& des plæs que eux deuoient tenir, & ēt:oꝛdeine eſt q̄ deſoꝛmes ne teigñ plæ ankt enement ne de dette, ne de coue t,ne de cōtract des gēts de people, foꝛſqȝ ſolement de trñs del hoſtelt,& dauters paſſez fait dedeis la verge,& ďs cōtractz ouenantes, que aſcune del hoſtell le roy ra fait a auter de meſme loſtell, & en m̄ le elle & nemy aillours. Et nul plæ de pas ne pledꝛont,auter que ne ſoit attach eux, auant ceo que le roy iſſera hoꝛs de erge ou la treſpas ſerra fait. Et les ple haſtiuement de iour en iour,illint qȝ ils nt pledes & termines auant ceo que le iſſeř hoꝛs des boundes de cel verge, ou treſpas fuit fait. Et ſi per cas dedeinz lez

boundes

bondes de cel verge ne poient eſtre termi
ceſſent tielx pleez devāt le ſeneſchalt, & ſo
les pleez a la comē ley. Ne deſormes ne
ne le ſeneſchalt conuſāces des detz, ne d
tex choſe, forſque dez gent del hoſtelt au
dit, ne nul auter plee ne tiendt par oblig
fayt a le diſtreſſe le ſeneſchalt, ou le mar
chalt. Et ſi lez ſeneſchal, ou lz mareſch
rien faciēt encoūter ceſt ordinance, ſoit l
fait ten⁹ pur nul. Et pur ceo q̄ avāt cez h
res mults d̄s feloniez faits dedeinz la ve
oūt eſte depunis, pur ceo que lez coronerz
pais ne ſe ount pas entremis denquerer
tielx maners des felonies dedeines la ve
mes le coroner del hoſtel le roy, q̄ eſt paſſ
de quoy iſſue nad mie eſte fait en du man
ne lez felons miſe en exigent, ne vtlages,
rien de ceo preſent en eire, q̄ ad eſte a gra
damage du roy, & a meins bone gard de
peace: Ordeine eſt que deſormes en caſe
mort de home, ou office de coroner appēt
viewes, & enqueſts de ceo faire, ſoit maun
al coroner del paiz que enſemblement ove
coroner, del hoſtel le roy face loffice que a
pent, & le meter enrolt. Et ceo que ne pu
ra mie devant le ſeneſchal eſtre termine, p
ceo que les felonz ne purront eſtre attache
ou pur auter encheaſon demurge a la co
men ley, iſſint q̄ les exigentes, vtlagaries,
preſentmentes en eyre ſoient de ceo fayt
par le coroner du pays, auxi come des a
ters felonies faytes hors de la verge. M
pur ceo ne ſoyte leſſe, que les attachemen

ne ſo

ſoyent faytes freſhment ſur les felonies
ytes.

Cōmen plees 2. Cap.4.

¶ Ouſter ceo nul cōen plee ne ſoit deſoꝛs
es ten⁹ a leſchequer, encountꝛ la foꝛm̄ de
graund charter.‡ca.11.

Chauncerie 1. Cap.5.

¶ Et dauter part le roy voet q̄ lꝫ Chaũ-
lour & les Juſtices de ſon banke luy
uent illent que il eyt toutes iours pꝛes
lay aſcune ſages de la ley, que ſachent
beſoignes, que veignent a la court due-
nt deliuerer a toutes les foites que me-
r ſerra.

Seale 1. Cap.6.

¶ Deſouth lꝫ petit ſealꝫ, ne iſſera deſoꝛs
s nul bref que touche le comen ley.

¶ Le Conſtable du chaſtel de Douer
plede deſoꝛmes a la poꝛt de chaſtel nul
foꝛein du countie, que ne touche lꝫ gard
chaſtel. Et le dit Conſtable ne diſtregn̄
gents du cinque poꝛtes a pleder ailours
n auter maner que ils deuoient, ſolonq;
oꝛm̄ des chartes q̄ ils ount des roys, de
r fraunchiſes auncients, affirmes par le
nd charter‡cap,4.

Sheriffe, 3. Cap.8.

¶ Le roy ad graunt a ſon peoplꝫ, que ils
t election de lour viſcount, en cheſcun
tie ou viſcount neſt mie de fee, ſils voi-
‡poſt cap.13.

Iurours 4. Cap.9.

¶ Le roy voet, & commaunde, que nul
viſcount

viſcount,ne baill' ne mette en enqueſts,
in iuries plus des gents,ñ auters ne en a
ter maner que il eſt ordeine par eſtatut,
que ils mittent en tiels enqueſts, et iuri
le plus procheines le plus ſuffiſants,
meines ſuſpicious. Et que autrement l' fi
et de ceo ſoit attaint, rend au plaintife
dam̃ au double,& ſoit en la greue mercy
roy.‡W.2.ca.38.

Conſpiracie 2 cap.10.

¶ En droit des conſpiratours,faux
formours,& malueis procurours des doul
nes,enq̃ſts,aſſiſes,& iures, le roy ad ord
remedy as plaintifes par briefe de Chan
cellarie.‡33.E.1.de cõſpiratiõ. ‡Et in
maines voet le roy, q̃ les Iuſtices de l
bank & del auter,& iuſtic.daſſiſes prend
ſignes,quant ils veignent en pais a f
lour office,de ceo facent lour enq̃ſts a che
pleint ſans briefe,& ſans delay facẽt dr
as pleintifes.

Champertie 3. cap.11.

¶ De rechefe pur ceo q̃ le roy auoit a
ordeign̄ par eſtatute‡W.2.ca.49.‡que
de ſes miniſters ne priſt nul plee a cham
tie,et p cel eſtatut auters miniſters ne
ent pas auant ſes heures a ceo lies. Vo
roy,q̃ nul miniſter,ne nul auter, par
auoier des choſes que ſont en plee, enp
les beſoignes q̃ ſont en plee. Ne nul ſu
el couenant ſon droit ne leſſe a auter.
vl l' face, & de ceo ſoit attaint,ſoit forfai
encurẽ deuers l' roy des biens,& des te

parnour, a la value de tant com̄ ſa partie
ſō purchaſe par tiel empriſe amoūteȝ. Et
eo atteinō, ſoit reſceu celuy q̄ ſuer vouoȝ
r le roy deuāt les Juſtices, deuant queux
plee aueȝ eſte, & per eux ſoit laggard fait.
es en ceo cas neſt mie a entēdre, que hom̄
poet auer counſaile des coūtours, & des
es gentes pur ſon donant, ne de ſes pro
ine amies.

Det al roy 4. *cap.* 12.

¶ De recheſe voit l' loy, q̄ diſtreſſes que
t a faire pur la dette, ne ſoient faites par
tes des charues, tanque come home poet
er trouer, solonq̄ ceo que eſt ordeine ail=
rs par eſtatute, oue la paine &c. § 5 1. H. 3
diſtr̄ ſcaccarij. § Et ne voet q̄ trope greue
res ſoit priſe pur ſa dette ne trope loigñ
ne. Et ſi le dettour puiſſe trouer ſuffi=
t, & conuenable ſuertie, ieſq̄ a vn ioure
nes le iour al vicount, de deynes l' quel
ne puiſſe purchaſer remedie a faiȝ gree
a demaunde, ſoit la diſtres releſſe ende=
tiers, & que autermt le fra, ſoit greue=
t, puny.

4. *Sheriffes. Cap.* 13.

¶ Et pur ceo q̄ le roy ad grant la electiō
viſcounts a ceux des countes ‡ S. ante=
. ‡ voet le roy q̄ ils eſlient tielx vicōtȝ,
ne les charge mie: & ne mettent nul mi=
re en baillie pur louer, ne pur done. Et q̄
s ne ſe herbergent trope ſouēt en vn li=
e ſur les pouers ne ſur les religious,
E. 2. Lincolñ de vicecomitibus. §

Hundreds

Hundreds 1. *Cap.*14.

¶De rechete voet le roy, que les baill
& les hund du roy, ne les auters graũd ſ
de la terre, ne ſoient leſſes a trope groun
ſomme a ferme, par quoy le people ſoit g
ue ne charge per contribution faire a ty
fermes.

Troces 1. *Cap.*1.15.

¶En ſommons, et en attachementes
plee de terre, deſormes conteignt la ſomm
ou lattach le term des v. iours a tout le m
nes, ſoloncq la comẽ ley, ſil ne ſoit en atta
ment des aſſiſes prend en pſence le roy, ou
plees deuãt iuſtic. ẽ eyre durant le eire, ‡
de Marlebẽ. cap. 12.

Retorne de vicount 4. *Cap.*16.

¶Soit fait de ceux que font faux ret
des briefes al maundemeut le roy, par q
droyture eſt delay, auxi come ordeyne eſ
le seconde eſtatute de Weſtminſter ‡ ca
39‡ oue la peine.

Proclamatson 1. *cap.*17.

¶Et pur ceo que multz meſfeſours ſ
en la terre plus que ne ſolent, et robberi
arſons, et homicides faits ſans nõber, e
peace meines bien garde, pur ceo que le
tute, que le roy fiſt faire nadgares paſſe
Wyncheſter ‡ An. 13. E. 1. ‡ nad pas eſte
nus. Voet le roy q̃ cel eſtatute ſoit de n
enuoy en cheſcune countie, & ſoit lie & p
lie. iiii. foits par ã, auxi byen come les d
graund charters, & firmemt gardes en c
cune poynt, ſur les peynes que la cyns
aſſ

a ſes. Et a cel eſtatute garder et mainte-
n, ſoient charges les trois chiualerz, que
ſ it aſſignes per my les counties pur re-
d ſſer les choſes faits encont er les grand
c rters, & de ceo eient garrantie. ante
a tē 1.

¶ *Vast* 8. *cap.* 18.

¶ En droit des waſts et deſtructions
tes en gards p eſchetors et ſubeſchetors
d meſons, bois, parkes, viuers, et de toutz
a ters choſes, que eſchiount en le mayne l
r y. Voet le roy, que celuy que auer l' dam
ceu, eit briefe de waſt, en la Chauncery
b s leſchetor de ſon fait, ou ſubeſchetor
d ſon fait, ſil eit de quoy reſpondr, et ſil
n de quoy, cy reſpond ſon ſoueraign per
a tiel peine, quant as dammages, come dar
ne ordeine eſt per eſtatute ſur ceux que
t waſte en gardes. ‡ Gloc chap. 5. &
ſt. 1. cap. 21.

¶ *Liuerie & ouſter le maine.* 2 *cap.* 19.

¶ De rechiefe la ou leſchetor, ou le viſ-
t ſeiſent en la maine le roy auters tres
ou il nad reaſon de ſeiſer: et puis quant
ue eſt l' nō reaſō, les iſſues du meſn tēps
o t eſtre ceo en arere retenus, et nemy rē-
d z, quant le roy ad la maine ouſte. Vo-
e roy que de ſormes, la ou terres ſont
nt ſeiſies, & puis la maine ouſte pur ceo
il nad reaſon de ſeiſer, ne ceo tener, ſoient
iſſues pleinment rendus a celuy a q̃ la
t re demurre & aña le dam reſceu, 23. E. 1
de eſcaetoribus.

¶Golde &c 1. cap. 20.

Ordeigne eſt que nul orſurer dāgliter
ne ailors de la ſeigniory le roy, ne ouere, r
face de cy en auant nul manner de veſſel, r
iaialx, ne auter choſe doꝛe ne dargent, q̄ r
ſoit de bone et very alay, ceſtaſſauoire oꝛe
certaine touche et argent del allay del eſt
linge, ou de melior alay. ſolonqz le volun
de celuy, a que les ouerers ſont. Et q̄ nu
ouer, peior, argent que money. Et que nu
manner de veſſel dargent, ne departe ho
des maines des ouerours, tanqz el ſoit aſſ
per les gardeins de l' miſter̄, et auxi q̄ el ſo
ſigne dun teſte dun Leoparde. Et q̄ nul
ouer peior oꝛe que de touche de Paris. Et
les gardeins du miſtery allent de ſhope
ſhope ent' les orſeours, aſſaints q̄ loꝛe ſo
tiel cōe la touche auantdit. Et ſils trouo
nul peior que la touch, q̄ louer ſoit forfait
roy. Et que nul ne face anneux, croix, ne ſi
inaux, Et nul ne mett' pire en or, ſi il ne ſo
naturel. Et que taillours des aimanz ⁊ d
ſealz rendent a cheſcun ſon pois dargent
doꝛe auxy auant come ils le purront ſcau
ſur lour loialty. Et les ioyaux doꝛe, q̄ i
ont entermaines de veil ouere, que ils ſ
deliueront a plus toſt que ils purront. Q
ſils achatent deſor en auaut de meſme ce
ouerage, que ils lachatent pur defere, ⁊ n
my pur reuender. Et touts les bones vil
Dengliterre, la ou il y ad orſeures, que
facent per meſme leſtatute, cōe ceux de Lo
dres ſont. Et que vn veigne de cheſcū vi
p

our touts, a Londres, de quel lour certeyn touche. Et ſi vlt' orſeure ſoit attaint que auterment le face que deſuis neſt ordeyne ſoit punye par priſon, & par ranſō a la volunte le Roye. Et en toutes les choſes deſus dits, e cheſcune de els, voit le roy, & tēs il & ſon counſell, & touts ceux que a ceſt ordeinement fuerent, que le droit & la ſeignioury, de la corone ſaues luy ſoient par toutes &c.

¶ Expliciunt Articuli ſuper Chartas.

Statutum de Appellatis.

Note that this ſtatute is in other printes vntruely entitled Modus Leuandi fines.

¶ Appeales 7.

CVm certi Iuſticiar in ſingulis comitatibus Regni ad aſsiſas in eiſdem capiendas de nouo aſsignati ſint, ſimulque ad deliberationem Gaolarum eorundem comitatuum in ſingulis aduentis ſuis fac' poſt captionem earundem aſsiſarum, prout in ſtatuto domini regis inde confecto

plenius continetur. § 27.E.1.ca.13.de finibus leuatis. § Dominus rex ad parliamentum ſuum apud weſtm̃, Anno regni ſui xxviij. pro pac' firmius obſeruanda, felonibuſq; celerius conuincend̄, & priſonibus citius deliberand̄, conceſsit, ordinauit, & ſtatuit, quod quicunque fuerint appellati p probatores exiſteñ in gaolis, quas ipſi Iuſtic' deliberant, & vbicunque in regno noſtro ipſi appellat̄ commorantes fuerint, aut latitantes, quod ſtatim mandet̄ vic', in quorum balliua taliter appellati fuerint conuerſantes aut poterint inueniri, per breue domini Regis ſub teſtimonio eorundem Iuſtic' q̄ taliter appellatos capiant & ducere fac'. ad gaolas vbi appellatores per quos appellant̄ fuerint detenti, & ibidem coram ipſis Iuſtic' reſpondeant. Et ſi ipſi appellati, ſe ſuper patriam poſuerint, ſimiliter mandetur per breue de iudicio per eoſdẽ Iuſtic. vic'. in cuius balliua feloniæ factæ fuerint, de quibus appellãtur, quod venire faciat coram eiſdẽ Iuſtic', inquiſ. patriæ ad eundem locum, vbi appellatores ſunt detenti, ad certum diem. Et vic' & alij in quorum cuſtodia appellatores detinentur, admittant ſine contradictione appellatos per eoſdem probatores, cum idem appellati capti fuerint in forma predicta, & ad ipſos appellatores adducti.

Sta

Stat' de coniunctim feoffatis. Anno.xxxiiii.E.i.

¶ Aſſiſe.9.

REx omnibus ad quos &c. ſalutem. Non eſt nouum quod nos inť ceteras legum editiones quas temporibus noſtris adinuenimus, pro nimia & enormi trãſgreſsione, que in breuibus noue iſſeiſine contingit pre ceteris, in illis breuibus celeius apponi decreuimus remedium. Et quia quam luries contingit, quod in aſsiſa noue diſſeiſine teens excipit, contra querentem, quod tenet teñ peita coniunctim feoffatus cum vxore ſua non noninata in breui, aliquando cum aliquo extraneo qui militer non nominatur in breuı & profert chartam ue hoc teſtatur, & petit iudicium de breui; concoratum eſt & ſtatutum, quod ſi pars querens offeat verificare per aſsiſam, quod die impetrationis reuis ſui, ille qui talem exceptionem propoſuit, fu ſolus tenens, ita quod vxor ſua, nec alius aliquid abuerit in predictis tenementis, tunc iuſtic' coram uibus predicta aſsiſa arraniata eſt, retineãt predicam chartam ſaluo in cuſtodia eorundẽ, quouſque ſsiſa inde inter eos tranſirit, vt illam que quaſi deicta eſt. Et ſcire faciant per breue noſtrum ſub orum teſtimonio, parti abſenti, quem charta

teſtat̃ ſimul cum tenente qui preſens eſt coniunctim feoffatum, quod ſit ad certum diem reſponſurus, ſimul cum alio tenenti parti querenti, tam de exceptione propoſita, quam de teñ petitis & poſitis in viſu, ſi ſibi viderint expedire. Ad quem diem ſi ambo qui dicunt̃ tenentes venerint, & feoffamentum illud aduocauerint, reſpondeant, & manuteneant exceptionem per vnum eorum propoſitam, & ſimiliter vlterius ad aſsiſã, ac ſi brẽ originale ſuper eos coniunctim fuiſſet impetratum.

Et ſi conuincatur per aſsiſam, quod exceptio illa in retardationem iuris querentis malicioſe fuit propoſita, eo quod ipſi non fuerunt coniunctim feoffati de teñ illis, die impetrationis predicti breuis, tunc licet aſsiſa illa trãſierit pro tenentibus & contra querentem, nihilominus puniantur talem exceptionem proponentes, per priſonam vnius anni, a qua non exeant ſine graui redemptione.

Et caueant de cetero Iuſtic' quod talem exceptionem ſic propoſitam per balliuos aliquorum tenentium non admittant. Si autem ille qui exceptionem illam propoſuit ſe ad diem illum abſentauerit, & alter qui dicitur coniunctim feoffatus comparuerit, licet ipſe comparens predictam cartam aduocauerit, & dixerit ſe nihil habere in predict̃ teñ, nihilominus adiudicetur aſsiſa verſus tenentem abſentem per eius defaltam. Et ſi conuincatur per aſsiſam, quod ipſi non fuerunt coniunctim feoffati, die impetrationis breuis predicti, & ſi ſimiliter conuincatur quod tenens ſuper quem breue fuerit impetratum, vel alius nominatus in breui diſſeiſierit querentem

tun

voiet 16 Ass. p 8 et 31 Ass. p 11. q si baron pled: joynt [illegible] oue son feme et fils [illegible] la feme et fils [illegible] imprisonment [illegible] 28 [illegible] 1623. agree [illegible] 16 Ass. [illegible] feme [illegible] imprisonment [illegible] al infant.

ne habita conſideratione ad exceptionem in le- nem partis falſo, & malicioſe propoſitam, & ad ſeiſinam per eos factam, pars querens recuperet ſinam ſuam & dampna ſua in duplo, & propo- ntes illam exceptionem habeant pœnam ſupra- tam.

Si autem neuter tenentium ad diem illum vene- , tunc per eorum defalt̄ verſus eos capiatur aſſiſa. ſi compertum ſit per eandem, quod exceptio illa re & rite ſit propoſita, quia ipſi qui eam propo- erint fuerunt coniunctim feoffati antequam que- ns breue ſuum verſus eos impetrauerit, non pro- datur vlterius ad aſſiſam ſed caſſetur breue que- ntis. Hoc idem obſeruetur ſi ambo vel vnus ntum venerit, ſi comperiat̄ per aſſiſam, quod ex- ptio pred' (vt predictum eſt) veraciẗ fuit propoſita. dem modo ſtatutum & concordatum eſt, quod aſſiſis mortis anteceſſoris, & breue de iuris vtrū, primum diem quo partes comparuerint in curia, tenens proponat predictam exceptionem contra tentem, & de hoc pretendit chartam, & petens ferat verificare per aſſiſam vel iuratam, quod die petrationis breuis ſui, ille qui talem exceptionem opoſuit, fuit ſolus tenens, extunc idem proceſ- s & modus procedendi ſeruetur in huiuſmodi ſiſa mortis anteceſſoris, & breue de Iuris v- um, qui preordinat̄ eſt, & ſtatuẗ in aſſiſis no. ſeiſine.

Et eadem pœna delinquentibus & conuictis fligat̄. In alijs vero breuibus per que tene- enta petentur, talis fiat proceſſus, quod ſi pri- o die quo partes comparuerunt in cur̄, tenens

proponat exceptionem prædictam de coniunc
feoffamento & petens offerat vereficare per iur
tam patriæ, quod die impetrationis breuis ſui, i
qui exceptionem illam propoſuit fuit ſolus tenen
tunc idem proceſſus & modus procedendi ſeru
tur inter partes, quouſque iurata inde inter e
tranſierit. Et ſi comperiatur per iuratum qu
exceptio illa veraciter fuerit propoſita, tunc caſſ
tur breue petentis. Et ſi comperiatur per iur
tum, quod exceptio illa falſo & malicioſe in læſi
nem partis fuit propoſita, tunc petens recupe
ſeiſinam ſuam de tenementis petitis, & tenens
neatur per pænam ſupradictam in aſsiſa nouæ d
ſeiſinæ, quoad priſonam, & quoad dampna ſecu
dum diſcretionem iuſticiariorum. Et volumus
concedimus, quod iſtud ſtatutum incipiat loc
tenere in craſtino ſancti Petri ad vincula prox
futuro.

¶ *Indicauit.*

¶ Quia etiam lites in curia Chriſtianitatis ha
tenus indebitas dilationes multotiens ſortiebantu
per hoc quod breue noſtrum quod vocatur Ind
cauit, iudicibus talium lituum in initio earum dil
tum fuit, & ſuper hoc capitalis iuſticiarius noſ
ad couſultationem ſuper tali proceſſu faciendã, r
ſeu debito modo nequit procedere, concordat
eſt, quod tale breue Indicauit alicui de cetero n
concedatur, antequam lis in curia chriſteanitatis i
ter partes fuerit conteſtata, et per inſpectionem
belli cancellarius noſter certioretur ſuper h

In cuius rei teſtimonium has litteras noſtras fieri fecimus patentes. Teſte me ipſo apud VVeſtm̃ 27. die Maij. Añ regni noſtri 34.

¶Explicit ſtatut̃ de coniunctim feoffatis.

¶Statut' de frangentibus priſonam, editum Anno. i. E. primi. ii.

Felony. 2.

DE priſonarijs priſonam frangentibus, dominus rex vult & precipit, quod nullus de cetero qui priſonam fregerit, ſubeat iudicium vite vel membrorum pro fractione priſoñ tantum, niſi cauſa pro qua captus & impriſonatus fuerit, tale iudicium requirat, ſi de illa ſecundum legem & conſ. terre fuiſſet conuictus, licet temporibus preteritis aliter fieri conſueuit.

Finis.

¶Articulus ſtatuti Gloc', corre
ctus pro Ciuibus London̄, de forenſicis vocatis ad warē in Huſtin=go London̄.‡9. E.2.‡

¶Voucher.7.

PUrnieu eſt enſement, q̄
hōe enpled en la city
Lōdꝛes, bouche foꝛrein
garrāte, le Maioꝛ & l
baillifes aioꝛnēt les ꝑti
deuaūt Juſtices de ban
au cert̄ iour, & enuoiēt
lour recoꝛd. Et l's Juſ
cez fac̄ ſum̄ l' garē deuaūt eux & pledēt l' ga
Et le Maioꝛ & lez baillifes en demētiers ſ
ceſſent a la parolle que eſt deuaūt eux ꝑ bꝛi
fe, ieſque a taūt que la parolle de la garē ſo
tmine deuaūt Juſtices du bāke. Et quāt
parolle ſerra termine en banke, ſerra dit
garē, que il voiſe en la citie, & reſpoign̄ d
chiefe plee. Et le demaūd per ſa ſuit eit d
Juſtices de banke au Maioꝛ & eux baillif
que ilz voiſent auaūt en le plee. Et ſi le d
maund recouerē, veign̄ le tenant aux Juſt
de banke, & eit bꝛiefe au Maioꝛ & as baili
que ſi le tenant eit ſa terre pardu, que ilz f
cent extendꝛe la terre, & retournent lexte
au banke au certeine iour, apꝛes ſoit mau
au viſcount du pais, ou le garē fait ſom

q

ul face auoir de la terre du garraunt a la nce. Et ſil aueigñ que l' tenant face de= un iour que luy eſt doñ en banke, don= iſſera bꝛiefe dez Juſtices du banke as oꝛ & baillifez de pꝛendꝛe le tenemét de- ide, en la maine le roy per le petit cap̄, ummñ le tenant q̄ il ſoit al Huſting au ine iour, dont les Juſtices ſerẽ auiſez, ō iudgement de cel defaut, ſil ne la pu= uer, & ſil la puiſſe ſauer, adonques les ices ſoient de ceo certifies per lour re= et les Juſtices per lour recoꝛd pledent cē.

norandum quod iſte articulus in forma pre- confignatus fuit ſub magno ſigillo domini E. gis E. anno regñ ſui nono, & miſſus Iuſtic' de in modum breuis patentis, cum quodam bre- ıſo ſub data regis apud weſtm̄ ſecundo die anno predicto, quod ipſi omnia & ſingula in lo predicto contenta facerent & exequerentur Non obſtante quod articulus ille in om- nibus cum ſtatuto Gloc' § ca. 12. § non concordat.

Finis.

ℭ Articuli cleri edit', Añ ix.E.ii.

EDward⁹ dei gratia rex Angliȩ omnibus ad quos preſentes li peruenerint ſalutem. Sciatis q cum dudum temporibus prog torum noſtrorum quondam Angliæ, in diuerſis parliam ſuis,& ſimiliter poſtquam regni noſtri guberna ſuſcepimus,in parliamentis noſtris,per prelatos clerum regni noſtri,plures articuli continentes uamina aliqua eccleſiȩ Anglicanæ,& ipſis pr & clero illata,vt in eiſdem aſſerebatur,porrecti iſſent,& cum inſtantia ſupplicatum , vt inde ap neretur remedium opportunum:ac nuper in pa mento noſtro apud Lincolne anno regni noſtri no,articulos ſubſcriptos,& quaſdam reſponſi ad aliquos eorum prius factas , eorum conſilio ſtro recitar̃,ac quaſdam reſponſiones corrigi, & teris articulis ſubſcriptis per nos & dictum cor um noſtrum fecerimus reſpondere:quorum dem articulorum & reſponſionum tenores ſu quunt̃ in hunc modum.

¶ *Prohibitio*. 1. *Cap*. 1.

¶In primis laici impetrãt prohibitiones in ge ſuper decimis,obuentionibus,oblationibus,mo arijs,redemptionibus penitentiarum,violenta nuum iniectione in clericum vel conuerſum, & cauſa diffamation̄:in quib⁹ caſib⁹ agitur ad p canonicam imponendam:Rex ad iſtum articu

reſp

...ndit, quod in decimis, oblationibus, obuen-
...bus, mortuarijs, quando ſub iſtis nominibus
...untur, ꝓhibitione regie non eſt locus: etiamſi,
...ter detentionem iſtorum diuturnã ad eſtima-
...m eorundẽ pecuniarium veniatur. Sed ſi clericus
...ligioſus decimas ſuas in horreo ſuo congrega-
...el alibi exiſtentes vendiderit alicui pro pecuñ
...atur pecunia coram iudice eccleſiaſtico, locũ
...t regia prohibitio, quia per venditionem res
...uales fiunt temporales, & tranſeunt decime
...alla.

Prohibition 1. cap. 2

...tem ſi ſit contentio de iure decimarum ori-
...a habens de iure patronatus, & earundẽ deci-
...m quantitas, aſcendat ad quartam partẽ bo-
...m eccleſiæ, locum habeat regis prohibitio, ſi
...auſa coram iudice eccleſiaſtico ventiletur. I-
...i prelatꝰ imponat penam pecuniariam alicui ꝓ
...t & repetat illam, regia prohibitio locum ha-
... Veruntamen ſi prelati imponant penitentias
...rales, & ſic puniti velint huiuſmodi peniten-
...er pecuniam redimere ſponte, non habet locũ
... prohibitio, ſi coram prelatis pecunia ab e-
...gatur.

Prohibition 1. *Cap.* 3.

...Inſuper ſi aliquis violentas manus iniecerit in
...um pro violẽtia facta, debet emenda fieri corã
... pro excommunicatione verò coram prelato,
...nponatur penitentia corporalis, quem ſi reus
... ſponte per pecuniam redimere, dandẽ prelato
...ſo, poteſt repeti coram prelato, nec in talibus
... prohibitio locum habet.

Pro-

Prohibition 1. Cap.4.

¶ In diffamationibus etiam corrigát prelat
pradicť modo, regia prohibitione non obſtante.
mo iniungendo penam corporalem, quod ſi
velit redimere libere percipiat prelatus pecuni
licet regia prohibitio porrigatur.

Prohibition 1. Cap.5.

¶ Item ſi aliquis in fundo ſuo molendinu
rexit de nouo, & poſtea a rectore loci exigať
ma de eodem, exhibetur regia prohibitio ſub
forma. Qđ. de tali molendino hactenus decim
fuerunt ſoluť, prohibemus &c. & ſententiam
communicationis, ſi quam hac occaſione pre
gaueritis, reuocetis omnino. ¶ Reſponſio. in ta
ſu nunquam exiuit regia ꝓhibitio de principi
luntate: qui & decernit talem perpetuo no
ire.

Iuriſdiction 1. Cap.6.

¶ Item ſi aliqua cauſa vel negotium,
ius cognitio ſpectat ad forum eccleſiaſtic
& coram eccleſiaſtico iudice fuerit ſenten
ter terminať, & tranſierit in rem iu
tam, nec per appellationem fuerit ſuſpenſum,
poſtmodum coram iudice ſeculari ſuper eade
inter eaſdem perſonas queſtio moueatur, &
betur per teſtes vel inſtrumenta, talis except
foro ſeculari non admittatur. ¶ Reſponſio. (
eaďđ cauſa diuerſis rationibus coram iudicib
cleſiaſticis, & ſecularibus ventilatur vt ſupra
de iniectione violenter manuum in clericum
cunt quod (non obſtante eccleſiaſtico iudici
regis ipſum tractat negotium, vt ſibi expedi
detur.

Ex

Excommengement 2. Cap.7.

¶ Item litera regia ordinarijs dirigitur, qui uos ſuos ſubditos excommunicationis vinculo innodarunt, quod eos abſoluant infra certum diem: alioquin ꝙ compareāt reſponſ. quare eos excommunicauerunt. ¶ Reſponſio. Rex decernit ꝙ talis litera nunquam in poſterum exire permittatur, niſi in caſu in quo poſsit inueniri, ledi per excommunicationem, regiam libertatem.

¶ Reſidence 1. Cap.8.

Item barones de ſcaccario domini regis vendicantes ſibi ex priuilegio, quod non debent extra eum locum conquerenti cuicunque reſpondere, extendunt illud priuilegium ad clericos commorantes ibidem, vocatos ad ordines, ſeu ad reſidentiam, & diœceſanis inhibeant, ne aliquo modo, aliqua ue ex cauſa, dum ſint in ſcaccario & in ſeruitio domini Regis, trahant ad iudicium quouiſmodo. ¶ Reſpōſio. Placet domino Regi, vt cleric' ſuis obſequijs intendentes, ſi delinquāt per ordinarios (vt ceteri) corrigantur, ſed tempore quo occupantur in ſcaccarium, ad reſidentiam in ſuis faciendam eccleſijs non teneantur. Hic additur de nouo, per concilium domini regis. Rex & anteceſſores ſui a tempore cuius contrarij memoria non exiſtit, vſi ſunt, quod clerici ſuis immorantes obſequijs, dum obſequijs illis intenderint, ad reſidentiam in ſuis beneficijs faciendam minime compellantur: nec debet dici tendere in preiudicium eccleſiaſticæ libertatis, quod pro rege & re-

republica neceſſarium inuenitur.

Diſtreſſe 9. Cap. 9.

¶ Item miniſtri domini Regis, vt vic' & alij, i
grediunt̃ feoda eccleſiæ ad faciendum diſtrictio
& aliqñ capiunt animalia rectorum in via reg
qñđ nõ habent niſi terram pertinent̃ ad eccleſia
¶ Reſponſio. Placet domino regi ‡ ne ‡ de cet
diſtrictiones fiant huiuſmodi nec in via regia, n
in feodis quibus olim eccleſiæ ſunt dotatæ. V
tamen diſtrictiones fieri in poſſeſsionibus de no
a perſonis eccleſiaſticis acquiſitis.

Abiuration 3. Cap. 10.

¶ Item quandoq; aliqui confugientes ad ec
ſiam abiurant terram, ſecundum regni conſuet
nem, & pſequuntur laici eos, vel inimici eorum
a publica ſtrata abſtrahuntur, & ſuſpendunt̃.
ſtatim decapitant̃, & dum ſint in eccleſia cuſto
untur per armatos infra cemiteriũ ‡ & ‡ quand
infra eccleſiam ita arcte, q̃ non poſsint exire l
ſacrum cauſa ſuperflui ponderis deponendi,
permitt̃ eis neceſſaria ad victus miniſtrari. ¶ R
ſponſio. Qui terram abiurauerint, dum ſint, in ſ
publica, ſint in pace domini regis, nec debent a
liquo moleſtari: & dum ſint in eccleſia, cuſtod
orum non debent morari infra cemiterium,
neceſsitas, vel euaſionis periculum hoc requirat,
arctent̃ confuger̃, dum ſint in eccleſia, quin po
habere vitæ neceſſaria: & exire libere p obſ
pondere deponendo.

Appelles 6.

¶ Placet etiam domino regi, vt latrones,
ap

ellatores, quecunque voluerint, poſsint ſacer-
bus ſua facinora confiteri: ſed caueant con-
ores, ne erronicè huiuſmodi appellatores in-
nent.

¶ *Monaſteries 3. Cap. 11.*

tem petit, quod Dominus Rex, & regni mag-
es non onerent domos religioſas, vel eccleſiaſ-
s perſonas pro corodijs, pencionibus, vel per-
dinationibus faciend' in domibus religioſis, &
locis eccleſiaſticis, careſtis & equis ſibi mit-
d', cum per hoc prædictę domus depauperent,
uſquè diuinus in hac parte diminuat, & prop-
huiuſmodi onera compelluntur ſepiſsime preſ-
bri, & alij miniſtri eccleſiaſtici, diuinis officijs
utat, a locis recedere ſupradict'.

Reſponſio. Placet Domino Regi quod ſuper
tentis in peticione, de cetero indebite non one-
tur. Et ſi per magnates, aut alios contra fiat,
beant inde remedium iuxta formam Statuto-
n tempore domini Edvvardi Regis patris do-
ni Regis nunc editorum. Et fiat conſimile re-
dium de corodijs & pencionibus per coherſi-
em exactis, de quibus non fit mentio in ſta-
is.

¶ *Excommengement 3. cap. 12.*

Item ſi aliqui de tenura domini Regis vocan-
coram Ordinarijs extra parochiam in qua
gunt, ſi propter ſuam contumaciam manifeſtam
communicentur, ac cum poſt xl. dies pro eorum
tione ſcribatur, pretendunt ſe priuilegiatos,
od extra villam ſeu parochiam ſuam non de-
nt vocari, & ſic denegatur breue Regium pro
tione eorundem.

¶Reſponſio. Nunquam fuit negatum, nec nega bitur infuturum.

¶ *Abilitie & Nonabilitie* 1. *cap.* 13.

¶ Item petitur quod perſonę eccleſiaſticę, qu dominus Rex ad beneficia preſentet eccleſiaſtic ſi Epiſcopus eas non admittat, vt puta propt defectum ſcientiæ, vel aliam cauſam rationab lem non ſubeant examinationem laicarum pe ſonarum in caſibus antedictis, prout his tem poribus attentatur de facto, contra canonic ſanctiones: ſed adeant iudicem eccleſiaſticum, quem de iure pertinet, pro remedio, prout iuſti fuerit, conſequendo.

¶Reſponſio. De idonietate perſonæ preſenta ad beneficium eccleſiaſticum, pertinet examinat ad Iudicem eccleſiaſticum, & ita hactenus vſit tum, & fiat in futurum.

¶ *Election* 2. *cap.* 14.

¶Item ſi vacet aliqua dignitas, vbi electio eſt f cienda, petitur quod electores liberè poſſint el gere, abſque incuſsione timoris à quacunq poteſtate ſeculari: & quod ceſſant preces & op preſsiones in hac parte.

¶Reſponſio. Fiant liberè, iuxta formam ſtat torum & ordinationum. VVeſt. 1. cap. 5.

¶ *Clergie* 3. *cap.* 15.

¶ Item licet clericus coram ſeculari Iudice iud cari non debeat, nec aliquid contra ipſum fie per quod ad periculum mortis, vel ad mutilati nem membrorum valeat peruenire, ſecula tam

imen Iudices clericos ad eccleſiam confugientes, & reatos ſuos forte confitentes, faciunt abiurare regnum,& eorum abiurationes admittunt ex illa cauſa, quamquàm eorum iudices ſuper his non exiſtant: ſicq; dat laicis indirectè poteſtas huiuſmodi clericos cruciandi, ſi ipſos poſt huiuſmodi abiurationem in Regno contigerit inueniri,ſuper quo petunt Prelati & clerus tale remedium adhiberi, vt immunitas eccleſiæ, & perſonarum eccleſiaſticarum conſeruetur illeſa.

¶Reſponſio. Clericus ad eccleſiam confugiens pro felonia pro immunitate eccleſiaſtica obtinéda, ſi aſſerit ſe eſſe clericum,regnum non compellatur abiurare, ſed legi regni ſe reddens,gaudebit eccleſiaſtica libertate, iuxta laudabilem conſuetudinem Regni hactenus vſitatam.

¶ *Clergie* 4. *Cap.* 16.

¶Item quanq̄ confeſsio, coram illo qui non eſt iudex,confitentis locum non teneat, nec ſufficiat ad ſatisfaciendum proceſſum, vel ſentenciam proferendam: quidam tamen ſeculares iudices, clericos qui de foro ſuo in hac parte non exiſtūt, reatus proprios,& enormes,vt puta furta,roberias,homicidia coram eis confitentes,admittūt accuſationem illorum, quam ipſi communiter vocant appellum ipſos ſic confitentes & accuſantes,ſeu appellum facientes non liberant Prelatis eorum poſt premiſſa, quanq̄ ſuper his fuerint ſufficient̄ requiſit̄,licet corā eis etiam per confeſsionē ꝓpriam iudicari vel condemnari nequeant,abſq; violatione eccleſiaſtice libertatis. ¶Reſponſio. Appellator in forma debita tanquàm clerico per ordinarium petito,libertatis eccleſiaſtice beneficium non negabitur.

Nos deſiderantes ſtatui eccleſiæ Anglicanæ, & tranquilitati, & quieti Prelatorum & cleri prædictorum (quatenus de iure poterimus) prouidere ad honorem Dei, & emendationem ſtatus dictæ eccleſiæ & Prelatorum & cleri prædictorum, omnes & ſingulas reſponſiones prædictas, ac omnia & ſingula in eiſdem reſponſionibus content, ratificantes & approbantes, ea pro nobis & hered' noſtris concedimus, & precipimus in perpetuum inuiolabiliter obſeruari, volentes & concedentes pro nobis & herædibus noſtris, quod prædicti Prelati & clerus, & eorum ſucceſſores in perpetuum in præmiſsis iuriſdictionem eccleſiaſticam exerceant, iuxta tenorem reſponſionum prædictarum, abſque occaſione ỹ eccleſiæ ỹ inquietatione, vel impedimento noſtri, vel noſtrorum herædum, ſeu miniſtrorum quorumcunque. In cuius &c. Teſte &c.

¶ Expliciunt Articuli Cleri.

¶ Statutum Eborac' ædit Anno 12. Edwardi 2.

PUr ceo que pluſors gentes du roialme Dengleterre, & de la terre Direland, ount auant ceux heures ſouent foits, ſufferteſ miſchiefe, damage, & diſheriſons, per encheſon de ceo que en aſcun caſe

aſe ou default fuit en ley, remedy ne fait pdeigne: & auxint pur ceo q̄ aſcuns points des eſtatutes auantfaits auoyent meſter declariſement. Noſtre ſeignior le Roy Edward fits au Roy E. deſirant plenier droit eſtre fait a ſon people, a ſon parliament a Euerwike, a trois ſemaignes de ſaint Michelſ, lan de ſon reigne xij. per aſſent des Prelates, Countees, Barons, & le commialty de ſon Royalme, illonques aſſembles, fiſt les eſtabliſhments et les eſtatutes, q̄ux enſuōt, les queux il voit que en le dyt Roialme, & en la dyt terre ſoyent firmement tenus.

¶Aſsiſe 8. Cap. 1.

¶Enprimes pur diuers miſchiefes queux ount eſte, de ceo que les tenants en aſſiſes de nouel diſſeiſ. ne puiſſent auāt ceux heurez faire attorneis. Accord eſt, q̄ les tenants en aſſiſes de nouel diſſ. puiſſent faire attourneis. Et ne entend my le Roy per tant que les tenants & les defend en aſſiſe de no. diſſ. ne puiſſent pleder per bailifes ſils voillent, come auant ſoilent.

¶VVitnes 1. cap. 2.

¶Et enſement accord eſt, q̄ quant chart, quite claim̄, acquitāce, ou auter eſcript ſoit dedit en la Court le Roy, en q̄ux ſont teſmoign̄ noſmes, ſoit proces fait de faire ven̄ les teſmoign̄, come auant ad eſte vſe, iſſint q̄ ſi nul veigne a le graund diſtres ſur eux retorne, ou retorne ſoit que ils nont riens, ou ne ſont troues: que adonques ne ſoit leſſe le priſe

5. H. 7. fo. 8. [illegible]
14. H. 6.
7. E. 4.

pꝛiſe del enqueſt ꝑ abſence de ceux teſmoign
Et ſi les teſmoignes veignont per le graũ
diſtreſſe, & lenqueſt per aſcun encheaſon, re-
maine appꝛendꝛe, ſoit mis le iour doñ a tem
teſmoignes queux iſſint viendꝛont, q̃ eſt doñ
a lenqueſt pꝛend, a q̃l iour ſi les teſmoignes
ne viendꝛont, ſoient lour iſſues pꝛimes ſu
eux retoꝛnes foꝛfaits, & la pꝛiſe del enqueſt
ne remaiñ a pꝛender pur lour abſence. Et
pur le abſẽce des teſmoignes, q̃ux ſõt deins
franchiſez, ou bꝛief le Roy oꝛiginal ne cour
ne ſoit le pꝛiſe del enqueſt leſſe.

¶Niſi prius 3. cap. 3.

¶Et come il ſoit conteigñ en leſtatute fai
a Weſtminſter le ſeconde iour de Apꝛil, la
du raigñ le roy, pier noſtre ſeignioꝛ le Ro
que oꝛe eſt xxvij. ‡ de Finibus leuatis cap. 4.
que les enqueſtes & les reconuſances deuan
Juſtices de lun banke & de lauter aiudge
fuiſſent pꝛiſes deuaunt aſcun des Juſtice
des places, aſſocie a luy vn chiualer del coũ-
tie ou les enqueſtes ſerront appꝛendꝛes,
les enqueſts ne fuiſſent de graunde examin-
ment, & q̃ en tiels enqueſtes ſoit fait ſicom
les Juſtices verount q̃ ſoit affaire au ꝓfit
du Roialme, le q̃l eſtatute ad meſtre deſtr
mieux declare. Accoꝛd eſt, que les enqueſt
& iuries, queux ſerrount ou ſoient appꝛen-
dꝛes en plee de terre, queux ne ſont mye
graunde examinement, ſoient pꝛiſes en pai
deuãt vn Juſtice del place ou le plee eſt, a
ſocie a luy vn pꝛode home del pais, chiualer
ou auter, iſſint q̃ certeine iour ſoit done e

banb

tabe,& certein iour & lieu en pais enſſence ... parties, ſi le demaūd le prie. Et auxy les ... queſtes & iures en plee de terre, que de... ... unde graunde examinement, ſoient pry... ... en pais, en la forme ſuiſdit, deuant deux ... ſtices de banke.

Niſi prius 3. cap. 4.

Et eit le Juſtice, ou les Juſtices poyar ... recorder nonſuites & defautes en pais, as ... ers & lieux queux ſerront aſſignes, ſicome ... ſuis eſt dit. Et ceo que ilz aueront fait en ... choſes ſuiſdits, ſoit report en banke au ... ar doñ, & illonques enrolle, & ſur ceo iudge... ent rendus. Et nentend my le roy, que les ... ts enqueſtes & iures ne puiſſent eſtre pſes ... bank ſilz veignōt, ne que ceſt eſtatute ſoy ... tende as graūde aſſiſes. Et auxy vn Juſ... ce de lun place ou de lauter, aſſocie a luy vn ... ode home du pais, chiualer ou auter, a la ... queſt del pl' preigna les enqueſtes des ... œs pledes & a pleder, queux ſount moues ... r attachment & diſtres, & eit poyar de re... corder nonſuits, come deſuis eſt dit, & pren... re les enqueſtes per defautes illonqs faits. ... t quant a les ‡ aſſiſes de darrein preſent... ent, & les enqueſts ſur briefe de Quare im... dit, prendres ſoit fait come eſt conteigñ en ... ij. eſtatute de Weſtminſter cap. 30. Et eiēt ... s Juſtices poiar a recorder nonſuites & ... efautes en pais, & ſur ceo iudgement doner ... om en bank, & ſoit report en banke ceo que ... s ont faits, & illonques ſoient enrolle. Et ... aueigñ que le Juſtice, ou les Juſtices,

queux ſont ou ſerront aſſignes dapprend
tielx inqueſtes en pays ne veignount, ou
veign̄ en pais au iour aſſigne ladema
les parties & les gentes des inqueſtes ga
dent lour iour en banke.

¶Retournes &c. 3. cap. 5.

¶Et pur ceo q̄ ſouēt pleints ont eſte fai
en la Court le Roy, que les retornes que
Bailifes des fraunchiſe queux ount pley
retourne del briefe le Roy, ount liueries
vicounts, apres ont eſte chaunges, & en au
maner retornes en la Court del Roy, a d
des aſcuns del partiez, & en delayāce de d
iture. Accord eſt, que des retornes, q̄ux
fore ſe ferront as vicounts per bailifes
tiels franchiſes, ſoit fait indenture peren
le bailife del fraunchiſe noſme per ſon p
per noſme, & le vicont noſm̄ p ſon pp no
Et ſi le vic̄ change le ret̄ iſſint liuer a l
endenture, & de ceo ſoit attaint al ſuit
ſeignior du franchiſe, dount il ad tiel ret
reſceue, ſi le ſeignior auer̄ damages encu
ou ſa franchiſe ſoit emblemy, & a le ſuit
partie que auera damages encurrue per
encheaſon: ſoit punie deuers le Roy com
faux retorne, & rend al ſeignior & a le pa
damages au double. Auxint eſt accord,
defore, les vic̄, ou auters bail' queux reſ
uont br̄es le roy retorn̄ en ſa court, mitt
lour proper noſmes oue les retornes, iſſ
que la Court puiſt ſcauer a quels ils prend
tiels retournes ſi meſtier ſoit. Et ſi al
vicount, ou auter bailife en ſes retour

ent

n rleſſa ſon noſm̄,ſoit il grœuouſement a=
n cit al oeps del Roy.

¶Vittailes 1. cap.6.

Enſement pur cōmon profit du people
cord eſt, que nul miniſter en citie, ne bo=
rogh, que per reaſon de ſon office doit gard
es dez viuerz, & des vitailes, entāt come
ſerra attendant a cel office, ne merchand
es ne vitailes in groſſe ne a retaile. Et ſi
in le face, & de ceo ſoit attaint, le mer=
ndiſe dont il ſerra attaint ſoit forfait au
oy, & la tierce parte ſoit liuer, come del
i le roy a celuy a q̄ ſuit le treſpaſſor ſerra
t attaint. Et ē tiel cas ſoit reſceue celuy
q vondra ſuer pur tiel choſe atteind. Et
hauncell', treaſorer, barons del eſchequer,
ſtic de lun bank & de lauter, & Juſtices
ign̄ as Aſſiſes prender, reſceyuent tiels
ints per briefes & ſans briefes, & les ter=
nent, & per facent touts les choſes con=
gn̄ en ceſt article en le forme auauntdit.
t iademains puis le Roy aſſign̄ ſes Juſ=
tices a cel choſe parfaire en cities,
& boroughes, quant, & la ou
luy plerra.

¶Explicit Statutum Ebor'.

¶Statutum

❡ Statutum de Eſſoiñ calumñ, ædit̃ Anno 12.E.2.

❡ Eſſoñ 12. cap. 1.

HIc demonſtratur quot modis eſſoñ ſi
calumniand', & in quibus caſibus eſſ
non iacet, videlicet, non iacet eſſoñ, q
terra capta eſt in manum domini
gis. Non iacet eſſoñ, quia diſtrictu
per terras. Non iacet eſſoñ, quia conceſſum
hinc iudicium, ſi iurata veniant. Non iacet eſſ
quia viſus fuit in curia. Non iacet de vltra m
quia alias ſe eſſoniauit de malo veniendi. N
iacet quia alias ſe eſſoniauit tali die. Non i
quia preceptum fuit Vicecomiti, quod faceret e
venire. Non iacet de ſeruicio domini Regis, q
fæmina, niſi quia nutrix, obſtetrix, aut mitta
per breue ad ventrem inſpiciendam. Non iace
breui de Dote, quia videtur deceptio, & pro
gatio iuris. Non iacet quia talis querens non
uenit plegios de proſequendo. Non iacet, quia
tornat̃ fuit eſſoniatus. Non iacet, quia habe
torñ in loquela. Non iacet, quia eſſoniator te
tor, quod non eſt in ſeruicio domini Regis. N
iacet, quia ſum̃ teſtificat̃ non eſt, vel pars non
tachiat̃, eo quòd vicecomes mandauit quod n
eſt inuentus. Non iacet, quia alias ſe eſſoniaui
ſeruicio domini Regis, ſcilicet tali die § et § m
non miſit warrantiam. Non iacet, quia re
fuit in vltima preſentatione, vel morte ante
ſoris. Non iacet, quia talis non nominatu

br

u Non iacet, quia preceptum fuit Vicecom
diſtringat eum venire per terras & cattalla.
n cet, quia mandatum fuit tali Epiſcopo,
faceret eum venire. Non iacet, quia termi-
terijt. Et ſciendum eſt, quod eſſoñ de
tio domini Regis allocantur poſt mag-
num Cap, poſt paruum Cap, &
poſt diſtrictiones factas per
terras & cattalla.

Prærogatiua Regis, ædit Anno 17. Edwardi 2.

¶ VVardes, 13. cap. 1.

Dominus Rex habebit cuſtodiam, omnium terrarum eorum qui de ipſo tenent in capite per ſeruicium militare, de quibus ipſi tenentes fuerunt ſeiſiti in dominico ſuo vt de feodo, die quo obierunt, & inque tenuerint per huiuſmodi ſeruicium, tamen ipſi tenuerint de Rege aliqd' teñ ab uo de corona, vſque ad legittimam etatem lis, exceptis feodis Archepiſcopi Cantuarieñ, opi Dunolm inter Tine & Tiſe, feodis itat & Baronum de Marchia de terris in hia vbi breuia domini Regis non currunt, & vnde

Cest non solem^t est entend le terre qil ad in fee simple mes auxi qil ad in tayle. ployden 11 per Saunders.

& vnde predicti Archiepiſcopus, Epiſcopus, & Baron, habeant huiuſmodi cuſtodiam : li libi tenuerunt de Rege.

¶ *VVardes* 14. *cap.* 2.

¶Item Rex habebit maritagium hered' inſ tem, & in cuſtodia ſua exiſtent' , ſiue terræ eorundem ſint ab antiquo de Corona, ſiue chaetis que ſunt in manu domini Regis, ſi buerint maritagium ratione cuſtodię terrarū minorum eorundem heredum, nullo habi pectu ad prioritatem feoffamenti, licet de al nuerint.

¶ *Primer ſeiſine* 1. *cap.* 3.

¶Item Rex habebit primam ſeiſinam poſt tem eorum, qui de eo tenent in capite, de bus terris & tenementis de quibus ipſi f ſeiſiti in dominico ſuo vt de feodo, cuiuſc ętatis heredes ipſorum fuerint, capiendo exitus eorundem terrarum & tenement donec facta fuerit inquiſicio, prout moris ceperit homagium huiuſmodi heredum.

¶ *VVomen* 1. *cap.* 4.

¶Item aſsignabit viduis poſt mortem vi ſuorum, qui de eo tenuerint in capite, ſuam que eis contingit &c. licet heredes plene ętatis, ſi vidue ille voluerint. Et vid ante aſsignationem dotis ſuæ prædictæ, ſi red' plene ętatis fuerint ſiue infra ætatem, ita quod ſe non maritabunt ſine licentia Reg ſi ſe maritauerint ſine licentia Regis, tu capiet in manum ſuam nomine diſtrictionis,

& tenementa, que de eo tenent in dotem, ſatisfecerint ad voluntatem domini Regis, d ipſa mulier nihil capiet de exitibus &c. al quouſque § per huiuſmodi diſtrictiones odi mulieres, ſeu viri earum finem facigi ad voluntatem ſuam. Et illa voluntas e Regis Henrici patris Regis E. eſtimari ūt ad valentiam prædictæ dotis per vnum ad minus, niſi vberiorem gratiam ha- . Mulieres que de Rege tenent in capite n hereditatem, iurabunt ſimiliter (cuiuſ- fuerint ætatis) quod ſe non maritabunt ntia Regis. Et ſi fecerint, terræ & tene- ipſarum eodem modo capiantur in ma- lomini Regis, quouſque ſatisfacerint, ad atem domini Regis. § Magna Charta o 7.

¶ *Particion* 1. *cap*.5.

: ſi vna heræditas, que de Rege tenetur in . deſcendat pluribus participibus, tunc illi heredes faciant homagium Regi, & reditas que de Rege tenetur, participabi- er heredes illos, ita quilibet eorum extunc ſuam tenebit de Rege.

¶ *VVardes* 15. *cap*.6.

ulier ante morte anteceſſoris ſui qui de Rege in capite, ante annos nubiles maritata fue- nc Rex habebit cuſtodiam corporis illius is vſque ad ętatem, quod conſentire poſ- tunc eligat ipſa vtrum maluerit habere vi- lum, cui premaritata fuerit, vel alium, quem i obtulerit.

¶Aliena-

¶ *Alienation vvithout licencę.* 1. & 2.

¶ Nullus qui de Rege tenet in capite per
cium militare, poteſt alienare maiorem p
terrarum ſuarum, ita quod reſiduum non ſu
ad faciendum ſeruicium ſuum, ſine licenti
gis. Sed hoc non conſueuit intelligi de me
& particulis earundem terrarum.

¶ De ſeriantijs alienatis ſine licentia Regis,
ſueuit rex arentare huiuſmodi ſeriantias per
nabilem extentam inde faciendam.

¶ *Auovvſon* 2. *cap.* 8.

¶ De eccleſijs vacantibus, quarum aduc
nes ſpectant ad Regem, & alij preſentauer
eaſdem, ita quod contentio inter dominum
gem & alios oriatur: ſi Rex per conſiderat
Curię preſentationem ſuam recuperauerit: lic
lapſum ſex menſium à tempore vacationis, n
occurrit ei tempus, dum tamen Rex preſen
infra tempus ſex menſium.

¶ Fooles 1. cap. 9.

¶ Rex habebit cuſtodiam terrarum fatu
naturalium, capiendo exitus eorundem
vaſto & deſtructione, & inueniet eis nec
ſua de cuiuſcunque feodo terræ illæ fuerin
poſt mortem eorum reddat eam rectis heræ
ita quod nullatenus per eoſdem fatuos alien
nec quod eorum heræd' exheredentur.

¶ *Fooles* 2. *cap.* 10.

¶ Item Rex prouidebit, quando aliquis qu
h

uerit memoriam & intellectū, non fuerit com-
mentis ſuæ, ſicut quidam ſunt per lucida in-
illa, quod terræ & tenementa eiuſdem ſaluo
odiantur, ſine vaſto & deſtructione, & quod
& familia ſua de exitibus eorundem, viuant
uſtineanť competentur, & reſiduum vltra ſuſ-
tationem eorundem rationabiliter cuſtodiatur
pus ipſorum, liberand' eiſdem quando me-
iam recuperauerint, ita quod prædictę terræ
nementa infra prædictum tempus nullatenus
entur: Nec Rex aliquid de exiť percipiat ad
ſuum. Et ſi obierit in tali ſtatu, tunc illud
uum diſtribuatur pro anima eiuſdem, per
ilium ordinarij.

¶ *VVrecke* 2. *cap*. 11.

Item Rex habebit wrecum maris per totum
num, Balenas, & Sturgeones captos in mare,
ibi infra Regnum, exceptis quibuſdam pri-
atis locis per Reges.

Ceſt neſt new Law Ley mes declaratiō del comō ley Ploy: 315.

¶ *Eſcheate* 1. *cap*. 12.

Item habebit eſchaetas de terris Norman-
um, cuiuſcunque feodi fuerint, ſaluo ſer-
, quod pertinet ad capitales dominos feodi
. Et hoc ſimiliter intelligendum eſt, ſi ali-
hereditas deſcendat alicui nato in partibus
ſmarinis, & cuius anteceſſores fuerunt ad
n Regis Franciæ, vt tempore Regis Io-
nis, & non ad fidem Regis Angliæ: Sicut
ingit de Baronia Monumentę, poſt mortem
nnis de Monumenta, cuius herædes fue-
de Britannia & alibi. De feodis aliorum
recupe-

recuperauit Rex Henricus , plures eſchaetas
terris Normannorum occaſione prædicta, &
contulit tenend' de capitalibus Dominis feodi
ſeruicia inde debita & conſueta.

¶ *Intruſion* 1. *cap.* 13.

¶Quando aliquis, qui de Rege tenet in c
in fata decedat, & heres eius ingrediatur
quod anteceſſor ſuus tenuit de Rege die
obijt antequàm fecerit homagium Regi, &
ſinam ſuam ceperit per Regem : tunc nullum
creſcit ei liberum tenement. Et ſi obierit ſei
p idē tempus, vxor eius non habebit dotem d
nemento illo : Sicut contingit de Matilda
Comitis Hereford' vxoris Maunſell Mareſ
qui poſt mortem VVilhelmi Mareſcalli Ar
fratis ſui , cepit ſeiſinam caſtri & maner
Scrogoill , & obijt in eodem Caſtro , anteq
intraſſet per Regem, & feciſſet ei homagiu
vnde concordatum fuit, quod vxor non hal
dotem , eo quod vir ſuus non intrauit per
gem , vero per intruſionem . Sed hoc non
telligatur de § Eſchaetis, § alias Socagio &
uis tenuris.

¶ *Forfaiture* 4. *cap.* 14.

¶ Item Rex habebit eſchaetas de terris li
tenencium Archiepiſcoporum, & Epiſcopor
quando ipſi tenentes damnati ſunt pro fel
facta tempore vacationis ; dum temporali
rundem fuerint in manu domini Regis,
ferend' cui voluerit imperpetuum : Saluo
uicio quod ad dictos Prelatos inde pertin
fieri conſueuit.

¶ Patentes 1. Cap. 15.

¶Quando dominus rex dat vel concedit alicui
nerium vel terram cum pertinentiis, niſi faciat
:harta ſua vel ſcripto expreſſam mentionem de
dis militum, aduocationibus eccleſiarum, & do-
us cum acciderint, ad predictum manerium vel
:am pertinenẽ tunc his diebus rex reſeruat
eadem feoda, & aduocaẽ, cum dotibus, licet
er alias perſonas non fuerint obſeruata.

Forfaiture 5. Cap. 16.

¶ Item rex habebit omnia catalla felonum dã-
orum, & fugitiuorum vbicunque fuerint inueẽ.
ſi ipſi habent liberẽ teñ, tunc illud ſtatim capieẽ
manum domini Regis: & Rex habebit omnes
tus eiuſdem per vnum annum & vnum diem,
:enementum illud vaſtabitur & deſtruetur de
nibus, boſcis & gardinis, & alijs quibuſcun-
: ad predictum tenementum ſpectanẽ, exceptis
ninibus quorundam locorum priuilegiatorum
e per Regem. Et poſtquam dominus rex ha-
:rit annum, diem, & vaſtum, tunc reddatur teñ
d capitali domino feodi illius, niſi prius faciat
em pro anno, die & vaſto. De cõſueẽ tamen di-
ır, quod poſt annum & diem, terræ & tene-
nta felonum in Gloc', reddentur & reuertentur
ximo heredi, cui debuerant diſcendere, ſi felo-
facta non fuiſſet. Et in Kanc' in Gauelkinde:
he father to the bough, the ſonne to the
ugh, Ibiđ omnes hered' maſculi participabũt

P.j. here-

hereditatem eorum, & ſimiliter feminæ,ſed fen
næ non participabunt cum maſculis.Et mulie
habebit poſt mortemviri medietatem
pro dote ſua. Et ſi mulier forni-
cetur in viduitatẽ, Perdet do-
tem ſuam,vel ſi ſit diſ-
ponſata viro.

¶ Explicit Prerogatiua Regis.

¶ Incipit Statutum de Magı Aſsiſa iniungendo ſiue duello.

VOus deues ſauoir ou gra
aſſiſe ſe ioint ⁊,bataile npi
ou battaile ſe ioiẽt ⁊ grai
aſſiſe niẽt, ⁊ ou lune ne la
ter ne ſe ioiẽt. Graũd aſſi
ſe iointe ⁊ battaile niẽt, l
vne home vend terre a vne auter p chart
⁊ ceſt purchaſer vend ceſt terẽ ouſter ⁊ n
niẽt pluis de terre et il rẽde ſa charter do
il eſt enfeoffe, vient le heire le pꝛimer fe
four ⁊ luy empled il ne purẽ my la ſeiſin
fendere per le coꝛps ſon franke hom̃,mes
ſe purra mettre en dieu et en la graunde a
ſiſe. Battaile ſe ioint et graunde aſſiſe n
la ou le vouchee eſt enfeoffe et vouche ſ
feoffo

offour a garr̄ p chart̄ q̄il au̅ de luy, il pur=
dedire ſa charter p le corps ſon franke
me, & la ne giſt pas graunde aſſiſe mes
ttaile. Auxint graunde aſſiſe ne ſe ioint
as enter parentes auāt q̄ ils ſoient paſ=
s le tier̄ degree la ou ils claiment per vn
eſme la diſcent. Mes battaile ſe ioient
tre freres la ou lune eſt feoffe per charter
lauter claime per diſcent. Et ou lune ne
uter ne ſe ioint nient la ou le demaundant
aim̄ a tener en franke mariage, ou ē franke
urgage ou en frāke ſocage, ou en gauel=
nde com̄ en Kent, ou en auter maner come
le demaundant demaunde forſque petit
oſe com̄ vne acre de ter̄ ou demy toft ou
oft, donques p aſſent des parties, ou per
arde des Juſtices, ſi poient ils conſentē
vn iur̄ de bones frankes homes & loy=
x pur eſparer le trauaile & le ſerement de
bons chiualiers, & ils ferront le ſerm̄t
ſans delay dont ils dirroūt voier
a lour aſcient. ‡Voies le
vieux nature des bře̅s
fol. 1.‡

P.ij.

¶ Addition 1, Cap.5.

ITem ordeine eſt & eſtablies
en cheſcune briefe original de
acciones perſonels appeles,
endictments & en queux exigẽ
ſerra agard que auxi noſm̃ de
defendaunts en tielx briefes originals ap
pelles et endictments ſoient faits addicio
de lour eſtate ou degree, ou de meſtery & le
villes ou hameleton, lieux, & les countie
de queux ils fuerent ou ſont, ou en queux il
ſont ou fuerent conuerſants. Et ſi per pro
ces ſur les ditz brẽz originals appelz ou en
dict ẽ q̃ux lez ditz addiciõz ſoiẽt enterleſſe
aſcuns vtlagaries ſoient pronuncies q̃ il
ſoient voides irrites & tenus pur nul. Et
auant les vtlagaries pronuncies les dit
briefes & endictments ſoient abatus per ex
ception du partie per la ou en icell' les dit
addicions ſoient enterleſſes. Purueu tou
foitz que meſq; les dits briefes daccions p
ſonels ne ſoient accordantes as recordes
faits per le ſuperpluſage de addicions ſui
dits, que pur cel cauſe ilz ne ſoient abatus
Et que les clerkes del Chauncellary ſout
q̃ noſm̃s tiels brẽs iſſeront eſcriptz ne ent
leſſent ne facẽt omiſſion des ditz addicion
cõe deſuis eſt dit ſur pein deſtr̃ punis & fai
fine al roy per diſcrec' de l' chaunceller. E
cõmencera cẽ ordinãce a tenir lieu al ſuit d
party de la feaſt de ſaint Michael; prochei
enſuant.

¶Forcible entre.3. Cap.9.

I Tem come per le noble Roy Ri-
charde nadgairs roy Dengleterre
puis le conqueſt ſecond a ſon par-
liament tenus a Weſtminſter len-
maine dez almes lan de ſon Raigne 15.
a.2.entre auters choſes ordeines ſoit & e-
ablies que les eſtatutes & ordinaũces faitz
niẽt repelles de ceux que fount entrees oue
te maine & armes en aſcunes terres tene-
ents ou auters poſſeſſions quicunques et
ur teignent eins oue force et armes et de
ux que fount inſurrectionz, riotes, routes,
iuauches, & aſſembles en diſturbance de la
ace noſtre ſeigniour le Roy ou de la com-
en ley en affray de ſon people ſerroient te-
us & pleinement & duement executz. Et
aſter eeo ordeigne eſt per meſme leſtatute q
utz les foitz que tielz forcibles ẽtrees ſoi-
t faitz & pleint ent veigne as Juſtices du
ace ou aſcune deux que meſmes les Juſti-
s ou Juſtice preignent ou preigne poyar
el countie, & voiſent ou voiſe al lieu ou tiel
rce ſoit fait. Et ſilz trouent ou troue aſ-
uns teignantes tiel lieu forciblement apres
iel entrye fait, ſoient priſes & miſes en pro-
heine gaole a y demurrer conuicte de record
e meſmes les Juſtices ou Juſtice tanque
ls eient fait fine & raunſom au Roy. Et que
outs gents de county ſibien viſcountz come

auters ſoient entendantz as ditz Juſtices e
de eux enforcer pur arreiter tielz malefaiſor
ſur peine denpriſonment et de faire fine
ranſom au Roy. Et que en meſme le mane
ſoit fait de ceux que fount forcibles entryes
en benefices ou offices de ſaint eſgliſe, cō
en meſme laſtatute eſt côteine plus au plein
⁊ per taunt que le dit eſtatute nextend mye
as entries en tenementes en peaſible mane
⁊ apres teñ oue force: ne ſi les pſons qui en
trent oue force, en aſcunes terres ou tene
ments, ſoient de tout remoues ⁊ voides de
uaunt le venue des dites Juſtices ou Juſti
come deuaunt, ne nul piene ordeine, ſi l
viſcounts ne obeye mye les commaundemē
tes ⁊ preceptes des dites Juſtices pur exe
cuter lordinaunce ſuiſdit: pluſours extorce
menſes ⁊ forcibles entries ſont faitz de iou
en auter, en terres ⁊ tenements, per ceux qu
droit nont, ⁊ auxi diuers dones feoffement
⁊ diſcontinuances aſcune foitz faitz as ſeig
niours ⁊ auters perſones puiſſants ⁊ extor
cioners deins les ditz counties, ou ils ſon
conuerſantes, pur maintenaunce auoir,
aſcune foits as tielx perſons enſy ouſtes
diſconus a tiel entent, pur delaier ⁊ defrau
der tielx droiturels poſſeſſours de lour droi
⁊ recoueres a toutes iours, a final diſheri
ſon de pluſours des meſmes foialz lieges ni
Seigniour le roy, et ſemblable eſt decreſte
de iour en auk, ſi due remedy ne ſoit purue
en cel party. Noſtre ſeigniour le roy conſid
rant les premiſſes ad ordeine que le dit eſta
tu

ute et toutez auſs eſtatutes de tielz entriez
alienacions deuant faitz, ſoient tenus et
iement executes: adiouſtant a icelles, que
ſoꝛe en auāt ſi aſcune face tiel foꝛcible entrē
terres tenementes ou auters poſſeſſions,
eux teigne foꝛciblement apꝛes compleint
t fait deins meſme le countie lou tiel entry
it fait as Juſtices du peace ou a vne deux
r la partie greue, que les Juſtices ou
uſtice enſy garnye, deins temps couenable
cent ou face duement executer le dit eſta=
ites, et ceo as coſtages de la partye enſy
eue. Et ouſter ceo, comment que tiels
rſones faiſantes tielz entryes, ſoient pꝛe=
ntes ou voides, deaaunt le venue des
ts Juſtices ou Juſtice, maintenaunt meſ=
es les Juſtices ou Juſtice, en aſcune bon
lle, plus pꝛocheine as tenementes enſi en=
ies, ou en aſcune lieu couenable, ſolonque
ur diſcrecion, eient et cheſcune deux ept
ictho ꝛitye et poiar denquerer per lez gentez
meſme le Countye, auxybien de ceux que
unt tielz foꝛcibles entries en tres et tene=
entes, come de ceux que ent teignent oue
ꝛce. Et ſi troue ſoit deuant aſcune de eux
ie aſcune face le contrarye de ceſt eſtatute.
onqꝫ les ditz Juſtices ou Juſtic̄, facēt ou
ce reſeiſer les trez ou tents enſi entries, ou
nus come deuāt, et metter la ꝑty enſi ouſte
plein poſſ. de m̄z les terres ou tenements
me deuaunt entryes ou tenus. Et ſi
cune perſone apꝛes tiel entrye en ter=
s ou tenementes tenus oue foꝛce, face

 feoffement,

feoffement,ou auter diſcontinuãce, al aſcu
ſeigniour ou auter parſon pur maintenanc
auoir,ou pur toller et defrauder le poſſeſſo
de ſon recouery en aſcune maner , ſi apꝛe
en aſſiſe ou auter accion ent eſtre pꝛiſe o
purſuer deuant Juſtices des aſſiſes ou aut
Juſtices du Roy quicunque per due enque
rer ent appꝛendꝛe,purra duemẽt eſtre pꝛou
meſmes les feoffements et diſcontinuance
eſtre faits pur maintenance,come deſuis e
dit,que adonques tielx feoffements ou au
diſcontinuances enſi come deuant faitz,ſo
voides irrites et tenus pur nul . Et au
quant les dits Juſtices ou Juſtice , ferro
tielx enqueres come deuaunt , facent ou fa
lour garrauntz et pꝛeceptes directes as vi
count de meſme le Countie , luy commau
dant de per le roy de faire venir deuant eu
et cheſcune deux,parſones ſufficiantz et e
differentes,pluis pꝛochein demurrants e
les tenementz enſy entries,come deuant,d
quererẽ de tielz entries dõt cheſcune que ſe
empanel dẽquerer en celle party,eit terre c
teñt dãnuel value de xl.s.p ã au meinz,ou
les fepꝛiſes. Et que le viſcont retourne iſſ
ſur cheſcune deux a iour de pꝛimer pꝛecep
retoꝛnable xx.s.et alſecond iour xl.s.et al
erce foitz C.s.et a cheſcune iour apꝛ le do
ble. Et ſi aſcune viſ̃ ou bailiſe deins fra
chiſe eiant retourne de bñ du Roy,ſoit la
ne face duement exeĉ des dits pꝛecepte
luy directes pur tielz enqueres faire , que
foꝛfaite deũs le Roy xx.li.pur cheſcune d
faut

Sufficient & Indifferent
Dexteme Inhabitants
cheſcũ a and xl. s. p an.

te, & oũt face fine & ranſom au Roy. Et q auxibien les Juſtices ou Juſtice auant ds. cõe les Juſtices des aſſiſes a lour venir pais, pur aſſiſes prendre, eiẽt et cheſcune x eit, poiar voier & examiner tiels defautes egligences des dits vicountz & bailifes, heſcune deux, auxibien p bille al ſuite del ty greue, pur luy meſme, come pur le roy ier, come per enditement apprendre pur l' y ſolement. Et ſi le viſcount ou bailiſe t duement attaint en cel ptie p enditemẽt p bille, que celuy que ſue pur luy & pur le y, eit vn moity del forfaiture de xx. li. enſiblement oue ſes coſtages & expenſes: Et meſme le proces ſoit fait vers tielz ẽditz ſues per bille en cell' partie, ſi come ſerroit s endicts ou ſues p brẽ de trñz oue force rmes encounter la peas de noſtre ſeigni le Roy. Et ouſtre ceo ſi aſcune perſone t ouſte ou diſſeiſe de aſcuns terres ou tenentes oue forcible maner, ou ouſte peaſiment et aps tenus de hors oue forte main armes, encounter la Juſtice du peace, ou es tiel entre aſcune feoffement ou diſcontiuaunce en aſcune maner ent ſoit fait pur frauder et toller le droit del poſſeſſour, e la partie greue en celle partye eyet aſſe de nouel diſſeiſine en briefe de Treſpas rs tiel diſſeiſoure. Et ſi la party greue couere per aſſiſe ou per accion de Treſpas troue ſ3it per verdite ou en auter maner r due fourme de ley que la partye defenunt entre oue force en terres et tenements ou

Forcible ent [illegible] ... [illegible] 21. H. 7. fo. 17. 28

accion [illegible] ... [illegible] 10. E. 4. fo 11 et 12. ca. 66.

[illegible] ... [illegible]

ou eux per force apres ſō entry tiendra , q
le pl' recouera ſes dam̄ au treble, vers le i
fendaunt. Et ouſter ceo que il face fine
ranſome au Roy. Et que Maiors Iu
tices ou Iuſtice de peace, viſcoūtes et ba
liſes des Cityes et Boroughes, eiāts fra
chiſe, eiant en les ditez Citez, villes , et b
r^o^ughes autiel poiar de tiels entries ouſt
et en auters articles deſuiſdites emergent
deins icelles, come ont les Iuſtices du pe
et viſcountes en counties et pais ſuiſdyt
Parueu toutes foites , que ceux que ga
dent per force lour poſſeſſions en aſcu
terres ou tenementes dont ils ou lour au
ceſters , ou ceux queux eſtate ils ont en
els terres ou tenementes ont continu
es lour poſſeſſions en icelles, per
trois ans ou plus , ne ſoy=
ent mye endam̄ per
force de ceſt
eſtatute.

¶ Finis.

¶Shriues.25. Cap.10.

ITem le roy conſiderant
les graundes periurye,
extorcion et oppreſſion,
queux ſont et ont eſte en
ceſt Roialme per ſes viſ=
counts ſouth viſconts et
lour clerkes, coroners, ſe=
neſchales des fraunchiſes
illites et gardes des priſons & auters of=
rs en diuerſes counties de ceſt roialme
ordeine per lauctoritie ſuiſdit en eſchew
de touts tielx extorciōs periurie & oppreſ
que null viſcont leſſe a ferme en aſcune
n ſon county, ne aſcune de ſes bailiwikez
idredes ne wapentakes, ne q̄ les ditz viſ=
s ſouth viſc̄ bailifs dez frāchiſes, ne aſc̄
bailifes retourne ſur aſc̄ bre ou p̄cepte
x direct de retourn̄ aſcūs enq̄ſtes, en aſc̄
ell ſur ceo deſtre fait, aſcunz bailifez offi
s ou ſeruantz a aſc̄ de les officers ſuiſditz
ſcune panel p eux iſſint affaire, ne q̄ null
officers & miniſters per occaciō ou ſoubz
our de lour office, preigne aſcune auter
ſe, per eux ne per aſcune auter perſone
ur vſe profite ou auail, daſcune perſone
eux ou aſcune deux deſtre arreſtus, ou
aches, ne de nul auter per eux pur la
er daſcune arreſt ou attachment deſ=
faites per lour corps, ou daſcune per=
e per eux ou aſcune deux per force ou
colour

cels de lour office arreſtus ou attaches p
ſine fee, ſeſwet del priſon mainpriſe, leſſaun
a baile, ou monſtrance aſcune eaſe ou fauo
a aſcune tiel perſon, iſſint areſtus ou areſt
pur lour regarde, ou profite, ſinon tiel co
enſuit, ceſtaſcauoir pur le viſcount xx.d.
bailife que face larreſt ou attachement iiij.
& le gaoler ſi le priſoner ſoit commis a
garde iiij.d. Et que le viſcount, ſouth v
count, clerke de viſcount, seneſchall ou bail
de fraunchiſe, ſeruant ou bailife, ne coron
preigne per colour de ſon office per luy
per aſcune auter perſone a ſon vſe, daſc
perſone pur le faiſour daſcune retourne
panell aſcune choſe, et pur le copie dune
nel iiij.d. Et que les dites viſcountes
toutes auters officers & miniſters auau
ditz, leſſeront hors de priſone, touts man
des perſones per eux ou aſcune deux ar
ers, ou eſteants en lour garde per force d
cune briefe bille ou garraunt en aſcune a
on perſonellz ou per cauſe dendictmen
treſpas ſur reaſonable ſuerty de ſufficia
perſones, eiants ſufficiante deins les co
ties lou tiels perſones ſont iſſint leſſe
baile ou mainpriſe de garder lour iours
tielz lieux, come les ditez briefs billes ou g
rauntz requirent: tiel perſone ou perſon
ſont ou ſerront en lour garde per condi
cion, execucion, capias vtlagatum, Que e
municatum, ſuertie de la peace, et toutes
elz perſones que ſount ou ſerront comm
gard et p eſpecial commaundement daſ
Ju

aſtice, & vagarantes, refuſãts de ſeruire,
onq̃ la fourme de leſtatute de Labourers
itſolemẽt except. Et que nul viſcoũt, ne
l de ſes officers ou miniſtes ſuiſdit, p̃igñ
face de pꝛẽdꝛe ou faire, aſcune obligaciõ
r aſcune cauſe ſuiſditz, ou colour de lour
ce, ſi nõ tãt ſolement a lour meſmes, daſ-
e perſon ne per aſcune perſone, que ſoit
lour garð, per le cours de la ley foꝛſque
le noſme de lour office, & ſur cõditiõ eſ=
, que les dites pꝛiſoñs, appergeront a le
r content en les ditz brẽs billes ou gar=
et ẽ tiels lieux ou les dites brẽs bilz ou
t requires. Et ſi aſcune des ditz viſcõtz
autz officers ou miniſters ſuiſditz, p̃igñ
i obligation en aut fourme, p colouꝛ de
r offices, q̃ il ſoit void, et que il ne p̃igne
s pur le feſance daſcuñ tiel obligat gar=
t ou p̃cept p eux deſtre fait foꝛſq̃ iiii. d.
auxint q̃ cheſcune de les dits viſcounts
annuelmẽt vn deputy en les courts due
de ſa chauncery, l' banke, et leſchequer de
oꝛð, deuant q̃ ils retournent aſcuns brẽs
eſceiuer touts mañs des brẽs & garrãts
x deſte deliueres. Et q̃ touts viſc̃ ſouth
ountz, clerks, bailifs, gaolers, coꝛoners
ſchalz, bailifs des frañchiſes ou aſcune
ers officers ou miniſters queux fount le
trary de ceſt oꝛdinãce en aſc̃ point dicell'
il pty en ycell' endam̃ ou greue ſes tre=
dam̃ et foꝛfait la ſum̃ de xl.li. a cheſc̃
q̃ eux ou'aſc̃ deux font le contrary di=
, en aſc̃ point dicell', dont le Roy dauer
lune

lune moitie,ceo deſte emploies al vſe de ſ
hoſtiel,& en nul auť maner,& la party q̃ c
voet ſuer lauť moity. Et que les Juſtic
des aſſiſes en lour Seſſions,Juſtice de l
bank & de lauter, & Juſtice de peace en lo
pais, eiant poiar dēquerer oier & termiñ
office ſans eſpecial cōmiſſion,de & ſur tou
yceux que ferrent le cōtrary diceſtʒ oꝛdin
ces ē aſcuñ article ou point diceſt. Et ſi
ditʒ viſcounts retoꝛnēt ſur aſcune pſon
pi coꝛpus,ou reddidit ſe,q̃ ils ſoiēt charg
ables dauer les coꝛps des ditʒ perſons a
iours des returnes des dits bꝛiefes , b
les ou garrāts,ē tiel fourm̄ com̄ ils fuer
deuant la feſance de ceo acte.Puruea to
foitʒ q̃ per ceſt pꝛeſent oꝛdinaunce le g
deine del gaole du roy de Fleete, & del P
leis du Roy a Weſtm̄, par le temps eſte
ne ſoit endam̄ ne pꝛeiudice en ſon duit
de ſon office, et auxint q̃ ceſt oꝛdi=
nāce commencea al feaſt de
de Paſche q̃ ſerra ē lan
noſtre Seignioꝛ
1446.

Fines 8. Chap.24.

Tem where it was ozdeined in the time of king Edward the firſt, by the ſtatut de finibus, that notes and fines to be leuied in the kinges court afoze his Juſtices, ſhould be openly and ſolempnelye
id. And that plees in the meane time
ould ceaſe. And this to be done by two
ies in the weeke. after the diſcretion of
Juſtices, as in the ſaid ſtatute moze
inly appeareth. § vide ſtatutum de fini-
s leuatis 27. E. 1. fines. 1. befoze anñ 34
3. cap. 6, fines 4. § The king our Soue-
gne Lozde, conſidereth that fines ought
be of the greateſt ſtrength to auoide
fes and debates, and to the finall ende
conclusion, and of ſuche effects were
en, afoze a ſtatute made of none claime,
ow is vſed the contrary, to the vniuer-
trouble of the kinges Subiectes, wil
rfoze it be ozdeined, by the aduiſe of the
os ſpiritual & tempozal, & the commons
he ſaid parliament aſſembled, & by auc-
zitie of the ſame, that after ye ingroſſing
uery fine to be leuied after the feaſt of
ſter, that ſhalbe in the yeare of our lozd,
o. in the kings court, afoze his Juſti-
of the common plees, of any lãds, tene-
ites, oz any other hereditaments, the
e fine be openly and ſolemply read & p-
med in the ſame court the ſame terme,
and

[illegible]

Per Hart fait. 31. Re. Eliz. toutz fines serront estre forsq 4. foits proclaimed en 4 severall termes & une foits [illegible] termes.

Et si le disseisee morust, sa feme ensient oue [illegible] fits, le disseisor levie fine, et puis lenfant & [illegible] ne oveil orest except pur tre del estatute, car null est deins age de 21 ans forsq tiel qest in rerū natura mes q lenfant il est except. Ploy de 366. Enfant except. vide. 19 H. 8. 7.

Si point cesty q. voit sender benifit de Tiel fesauant doit procurer q chose. s. qil est auter pson et q le droit primerment vient a luy, et q il devient puis le fine engrosse et proclamations fayt, et q son droit ou title est p cause ou matter devant le fine. Ploy: 373. Tierce except.

and in thꝛee termes then next folloѡing ſame engroſſing in the ſame court, at fou ſeueral daies in euery terme. And in th ſaine time that it is ſo read & pꝛoclaimed plees to ceaſe. And the ſaid pꝛoclamatior ſo had and made, the fine to be final end ar conclude, aſwel pꝛiueis as eſtraungers the ſame, except women couert, other the been parties to the ſaid fine, and euery pe ſon then being within age of xxi. yeres, pꝛiſon, oꝛ out of this realme, oꝛ not of wh mind at the time of ye ſaid fine leuied, noꝛ ties to ſuch fine. And ſauing to euery pſ oꝛ perſons & to their heires, other then t parties in ye ſaid fine, ſuch right, clayme interest, as they haue to oꝛ in the ſaid lā tenements. oꝛ other hereditaments, ti of ſuch fine ingroſſed. So that they pu ſue their title, claime oꝛ intereſt, by way accion oꝛ laѡfull entre, within fiue yeer next after the ſaid Pꝛoclamations had a made. And alſo ſauing to all other perſo ſuch acciō, right, title, claime and intere in oꝛ to the ſaide lands, tenements, oꝛ ther hereditamentes as firſt ſhal groѡ, maine, oꝛ diſcend, oꝛ come ‡to‡them afte ſaid fine ingroſſed and pꝛoclamation ma by foꝛce of any gifte in the taile, oꝛ by a other cauſe oꝛ matter, had and made bef the ſaide fine leuied, ſo that they take th accion, oꝛ purſue their ſaide right and ti accoꝛding to ye laѡe within fiue yeres n after ſuche accion, right, claime, title inte

tereſt to them accrued,deſcended,fallen,oꝛ
me, and that the ſaide perſons and theyr
ires may haue their ſaid actyon agaynſt
e pernour of the pꝛofites of the ſaid lands
d tenementes, and other hereditamentes
me of the ſaide action to be taken, and if
e ſame perſons at the time of ſuch action,
ght,and title accrued,deſcended,remained
come vnto them, be couert baron,oꝛ with
age,in pꝛiſon,oꝛ out of this lād,oꝛ not of
hole mynde. That then it is oꝛdeyned by Dier. 133.
e ſaid aucthoꝛitie, that their action,right
d title to bee reſerued and ſaued to them
d to their heires,vnto the time they come
d be at their full age of xxj. yeares,out of
iſon, within this lande,vncouert, and of
hole minde, ſo ẏ they oꝛ their heires take
eir ſaid actions,oꝛ their lawful entre,ac=
ꝛding to their right and title, within fyue
res next after that they come & be at their
ll age,out of pꝛiſon,within this land,vn=
uert, and of whole minde. And the ſame
tions purſue,oꝛ other lawfull entre take,
coꝛding to the law. And alſo it is oꝛdei=
d by the aucthoꝛitie afoꝛeſaid,that al ſuch
rſons as be couert de baron, not party to
e fine,and euery perſon being within age
xxj.yeres,in pꝛiſon,oꝛ out of this land,oꝛ
t of whole minde at time of the ſaid fines
ied and engroſſed,and by this ſaid act a=
e except,hauīg any right oꝛ title,oꝛ cauſe
action,to any of the ſaid landes and other
reditamentes, that they oꝛ their heyres,

inheritable to the ſame take their ſaide acti
ōs or lawful entre,according to their righ
and title,within v.yeres next after they cō
and be of the age of xxi.yeres, out of priſo
vncouert,within this land,& of whole mid
and the ſame actions ſue,or their lauful ē
trie take and purſue accordinge to the law
And if they do,& take not their actiōs & en
ter as is aforeſaid,that they & euery of the
and their heires,& the heires of euery of th
be concluded by the ſame fines for euer, i
like forme as they bene ỹ bin parties or pri
nies to ỹ ſaid fines.Sauinge to euery per
ſon or perſons,not party nor priuy to th
ſaide fine,their exception to auoid the ſam
fine by that that thoſe‡that‡ were partie
to the fine,nor any of thē,nor no perſon no
ꝑſons to their vſe,ne to the vſe of any of th
had nothing in the lands or tenements com
priſed in the ſaid fine at the time of ỹ ſayd
fine leuied.And it is ordeined by the ſaid
authoritye, that euery fine that hereafte
ſhalbe leuied in any of the kings courts, o
any manors,lands, tenements , and othe
poſſeſſions,after the maner,vſe , and form
that fines haue bene leuied afore the makig
of this act, be of like force,effect,and autho
ritye,,as fines ſo leuied be or were afore th
makinge of this act,this act or any other a
in the ſaide parliament made or to bee ma
notwithſtandinge. And euery perſon b
at his lybertie,to leuy any fine hereafte
after his pleaſure,whether he wil after th
fourm

fourme conteyned and ordeyned in & by this act, or after the maner and fourme aforetime vſed.

¶ Women.

¶ Anno 11. H. 7. cap. 20. Diſcontinuance of right or eſtate.

For certeine reaſonable conſiderations, be it ordeyned, enacted, & eſtabliſhed by the king our Soueraigne Lord, & by the aſſent of the Lords ſpiritual and temporal, & the cōmons in this preſent parliament aſſembled, and by aucthoritie of the ſame, that if any woman which hath had, or hereafter ſhall haue any eſtate in dower, or for terme of life or in taile iointly with her huſbād, or onely to her ſelfe, or to her vſe, in any mannors, lands, tenements, or other hereditaments, of the inheritaunce or purchaſe of her huſband, or geuen to the ſaid huſband & wyfe in taile, or for terme of life, by any of the aunceſters of the ſaid huſband, or by any other perſon ſeiſed to the vſe of the ſaid huſband, or of his aunceſters, and haue or ſhall hereafter being ſole, or with any other after taken huſbande, diſcontinued or diſcontynue, alyened, releaſed, or confirmed, alyen, releaſe or confirme with warrantie, or by couyne ſuffred or ſuffer, any recouerie of the ſame, againſt them or anye of them,

or any other ſeiſed to their vſe, or to the vſe of either of them, after the forme aforeſaid, that all ſuch recoueries, diſcontinuaunces, alienations, releaſes, confirmations, & warranties, ſo had and made, & from henceforth to be had and made, be vtterly voide and of none effect. And that it ſhalbe lawfull to euery perſon and perſons, to whom the intereſt, title, or inheritance after the deceaſe of the ſaid women, of the ſaid manors, lands, & tenements, or other hereditamentes, beeing diſcontinued, aliened, or ſuffered to be recouered, after the firſt day of December next cõming, in the forme aforeſaid ſhould appertaine, to enter into all and euery of the premiſſes, and peaceably to poſſeſſe and enioy the ſame, in ſuch maner and forme, as hee or they ſhould haue done, if no ſuch diſcontynuance, warranty, nor recouery had ben had nor made. And ouer this be it ordeined and enacted by the ſaid authoritie, that if any of the ſaide huſbandes and women, or any other ſeyſed, or that ſhalbe ſeiſed to the vſe of them, of the eſtate afore ſpecified, after the ſaid firſt day of December, do make or cauſe to be made, or ſuffer any ſuch diſcontinuãce, alienations, warraunties, or recoueries, in fourme aforeſaid, that then it ſhalbe lawful to the perſon or perſons, to whom the ſaide tenementes ſhould or ought to belong after the deceaſe of the ſaid woman, to enter into the ſame, & them to poſſeede and enioy, according to ſuch title & intereſt, as they ſhould haue

haue had in the ſame, if the ſame woman had bene dead, no diſcontinuance nor recoueries had, as againſt the ſaid huſband during his life, if the ſaid diſcontinuaunce, alienation, warranties, & recoueries bee hereafter had by or againſt the ſame huſbandes & women during ye couerture & eſpouſels betwixt thẽ. ¶ Prouided alway that the ſaide women, after the deceaſe of their ſaid huſband, may reenter into the mannors, landes, and tenements, and them to enioy according to their firſt eſtate in the ſame. And ouer this bee it ordeined and enacted by the ſaid aucthoritie, that if the ſaide woman at the time of ſuch diſcontinuãce, alienations, recoueries, warranties, after the ſaid firſt day of December in fourme aforeſaid to be had & made of any of the premiſſes bee ſole, that then ſhe ſhalbe barred and excluded of her title and intereſt in the ſame from thenceforth, & that the perſon and perſons to whom the title, intereſt, and poſſeſſion of the ſame ſhould belong after the deceaſe of the ſaide women, ſhall immediatly after the ſaid diſcontinuaunce, alienations, warranties, and recoueries, enter into the ſame manours, landes, tenementes, and other hereditaments, & them to poſſeede & enioy, according to his or theyr title in the ſame. Prouided alſo that this act extende not to auoide any recouerie, diſcontinuance or warrauntie, after the forme aforeſaid, afore this time had, made, or ſuffred but onely where the ſaid huſbãd & woman,

oꝛ eyther of them now beeing alyue, oꝛ any other to their vſe, now haue intereſt & title to the ſaid manours, landes, tenementes oꝛ other hereditamentes, aliened, diſcontinued, oꝛ ſuffered to be recouered, after the foꝛme afoꝛeſaid, and therof now taking the iſſues and pꝛofites, oꝛ any other perſon oꝛ perſons to their vſe.

¶Pꝛouyded alſo that this acte extende not to any ſuch recouerie oꝛ diſcontinuance to be had with the heires next inheritable to the ſaid woman, oꝛ he oꝛ they that next after the death of the ſame womā ſhould haue eſtate of inheritance in the ſame manours, landes, oꝛ tenements, be aſſenting oꝛ agreeable to the ſaid recoueries, where the ſame aſſent and agreement ‡ be ‡ of recoꝛde oꝛ inrolled. Pꝛouided alſo that it ſhalbe lawful to euery ſuch woman being ſole oꝛ maryed, after the death of her firſt huſband, to geue, ſell, oꝛ make diſcontinuaunce of any ſuche landes foꝛ terme of her lyfe onely, after the courſe and vſe of the common law befoꝛe the making of this pꝛeſent acte.

¶An

¶ An Acte concerning actions populer, and ſtatutes penall. Anno 7.H.8.cap.3.
Actions populer 3.

Where dyuers and many penall Statutes and ordinances haue bene made and ordeyned, ſome whereby the punyſhments geeuen onely to the king our Soueraigne Lorde, hys heires and ſucceſſours, action, writ, bill, indictment, or informa- on, and ſome whereby the kinge by hym f, or any other cõmon perſon for the king for himſelfe onely, may ſue by writ, bill, dictment, or information againſt the of- nders in that behalfe, and becauſe of long ct of tyme, and for ſparinge of the ſuite ereof, and that then after ſuch long tract tyme, dyuers and many of the kings true biectes hau bene in time paſſed vexed and oubled for the penalties contayned in the ide Statutes and ordinaunces, more for alyce then for Juſtice, whereupon periu- es haue enſued, to the great trouble and xation of the kinges true ſubiectes their ires and executors, being ignorant of the id ſtatutes & offences: wherefore, & for the nder loue & zeale that our ſoueraigne lord e king beareth to his ſaid louing ſubiects d at their humble deſire. Be it enacted, deined & eſtabliſhed by his highnes, & by e aſſent of the Lords ſpiritual & temporal

and the commons in this preſent parlian
aſſembled, & by the aucthoritie of the ſan
that all and ſinguler ſuch actions, ſuite
bills, indictments, or informations, as fro
the xx. day of the moneth of Nouember t
vij. yeare of our ſaide ſoueraigne Lord
raigne ſhalbe commenced, taken, ſued, ha
or made, onely for any dette, moueable goo
or cattalles forfaited and loſt, or to be fo
faited or loſt, whereunto the king onely, h
heires or ſucceſſours, and none other co
mon perſon ſhal or may be entitled by re
ſō of the ſaid penal ſtatutes or any of the
ſhalbe commenced, ſued, taken, or had wi
in fower yeres next after the offence or off
ces, forfayture or forfaitures, of, or for t
ſame, had or made againſt the ordinance, a
prouiſion of any ſuch acte or actes, ſtatu
or ſtatutes penal, and not after the ſaid ii
yeares. And that for any offence or forfa
ture made or had, or to bee made or had
gainſt the ordinaunce and prouiſion of an
acte or actes penal, made and ordeyned, or
be made and ordeined, whereby action, ſui
bille, or information populer, is or ſhalb
geuen to any perſonne or perſonnes, ſu
as will ſue for the kinge and for him
them ſelfe, or onely for him or them ſelf
that ſuch action, bille, ſute or informatio
bee commenced, ſued, had and made, by ſu
perſon or perſons, other then the kinge, a
wil ſue in that behalfe, within one yere ne
after the offence or forfaiture, had, made,

committe

[co]mmitted againſt the ordinaunce and pro[uiſ]ion of any ſuch acte or actes penall, and [no]t after the ſayd yeare ended. And that the [char]ges ſuit by writ, bill, plaint, indictment, [or] information on that behalfe be commen[ced], ſued, had, or made, within two yeares [nex]t after the offence or forfaiture made or [do]n againſt the prouiſion and ordinance of [th]e acte or actes, ſtatute or ſtatutes penall [an]d not after the ſaid two yeres. And if any [act]ion, ſuit, bill, indictment, or information, [con]cerning the foreſaid ſtatutes, or any of [the]m ‡be‡ had or made, otherwiſe thē with[in t]he time or times limited, as is aforeſaid, [tha]t then the ſame action, ſuit, bille, indict[me]nt, and information, and euery of them [co]mmenced, ſued, had, or made, for the ſaide [offe]nce or offences, forfaiture or forfaitures, [ſha]lbe voide and of no force ne effect, any act [or a]ctes, ſtatute or ſtatutes made to the con[tra]rie notwithſtanding.

¶ Prouided alway, that where any action, [info]rmation, or indictment, is limitted by a[ny ſ]tatute to be had, made, or taken within [a ſh]orter time or times, then (as is afore rehearſed) that it be had, made, and taken, according to the time limitted in that eſtatute.

¶ In

¶An act concerning aduowries for rentes and ſeruices. anno 7.H.8,cap.4. Recoueries 1.

Whereas dyuers, aſwell noble men
other the kinges ſubiectes haue ſu
fered Recoueries agaynſt them
dyuers their mannours, lordſhips, land
and tenements, for the performance of th
willes, or for the ſuertie of theyr wyu
ioyntures, or for the iointure of ſonnes a
heires apparant and their wiues, or for
ny other perſone or perſons, accordinge
their couenants and agreements, and th
perſonnes that ſo haue recouered the ſ
manors by the courſe of the cōmon law, h
no remedy, nor may haue, to compel the f
mour, freeholders and tenants, which he
of the ſame manours by the rents ſerui
or cuſtomes, to attourne to them, nor co
by the order of the law attaine to the ren
ſeruices, or cuſtomes, (if they were deni
by diſtres or actyon, without they co
once atteine to the poſſeſſion of the ſa
rentes, ſeruices, and cuſtomes, by paying
doing the ſaid rents, ſeruices, or cuſtom
by the ſame freeholders, fermors, & tenan
which to do, dyuers and many of them h
oftentimes refuſed, & yet do, to the great
fence and charge of their conſciēce, not o
to the diſheritāce of the ſaid recouerers, b
alſo in breaking of ye laſt wils of thē aga
whom ſuch recouery is had: and alſo to
dil-

eritance of the ſaid huſband, wiues, and
r to whoſe vſe the ſame recouerie was
id. Alſo if there were any aduowſō ap=
ant to any of the ſaid manors, the ſame
wſon had fallen void, & a ſtranger had
nted, the ſaide recouerers, nor they to
ſe vſe the ſame recoueries were had, had
medie for the ſame diſturbance, & ſome
thereby they haue bene diſenherited.
t therefore enacted by this preſent par=
ent, & by the aucthoritie of ẏ ſame, that
ecouerers in all ſuch recoueries, theyr
s, & all aſſignes, may from henceforth
ine for the foreſaid rents, ſeruices, and
mes, ſo being due & vnpaied, and make
orie or iuſtifie the ſame, as thoſe perſōs
iſt whom the ſaide recouerie is, ſhould
done, if the ſaid recouerie had not bene
t alſo haue like remedy for the recoue=
of the ſaid rent ſeruices & cuſtomes, by
ory, & alſo Quare impedit for the ſaid ad=
ſon, if any diſturbāce be made, as thoſe
ns, againſt whom the ſaid recoueryes
had, might, or ſhould haue had, by the
e of the cōmon law before ẏ ſaid reco=
if any ſuch rēt ſeruices or cuſtōes had
enied thē, or any ſuch diſturbance had
ad in their times And alſo ẏ euery a=
ſt, & euery other perſō or perſōs ẏ ma=
auowry, coniſāce or knowlege, or iuſ=
as baily, to any other perſon or perſōs
y Replegiare, ſecond deliuerāce, for any
iſtōe or ſeruice, if their auowry, coniſā=
or

oꝛ iuſtification be found foꝛ them oꝛ ẏ pl
tifes in the ſaid actions otherwiſe ba
ſhal recouer their damages and coſtes
they haue ſuſtained, as the plaintife ſh
haue done, if they had recouered in the
Repleuins. ‡ See after Anno 21. H. 8
19. Auowꝛie 1.

¶ Aſſiſe.

¶ An acte concerning Abridgementes of p
in Aſsiſe, anno 21. H. 8. cap. 3. Aſsiſe

FOꝛaſmuch as Aſſiſes
haue bene thought the
ſpedy remedy, be now by
ſion of pleding of many b
to moities and partes
landes put in view and p
greatly delayed, foꝛ difficulties & diui
pleding. And one cauſe thereof is, beca
plaintifes in the aſſiſe in ſuch plees, to
ties and partes, cannot by the law ab
their plaintes. For remedy whereof
enacted, that the plaintife in euery aſſi
henceforth, may at his pleaſure ſeuer
bꝛidge his plaint, of any part oꝛ parts
vnto any barre is pleaded, in ſuch lik
ner, as he oꝛ they might do, in caſe that
in barre had bene made and deuided,
certeintie oꝛ number of acres in the
& that the plaint foꝛ the reſydue of th

...tes of the landes not abridged, ſhalbe & ...good & effectuall in the law.

¶ Spirituall perſons.

...n Acte againſt Pluralities of benefices, ...r taking of fermes by ſpiritual men, and for reſidence. An.21.H.8.ca. 13. Reſidence 2.

For the more quiet and vertuous increaſe and mainteynaunce of diuine ſeruice, the preachinge and teaching the worde of God, with godly & good example geuinge, the ... diſcharge of Curats, the maintenãce ...pitality, the reliefe of poore people, the ...ſe of deuocion, and good opinion of the ..., toward the ſpiritual perſons. Be it ...d, ordeined, & eſtabliſhed by the king ...ueraigne Lord, with the aſſent of the ... ſpiritual and temporal, and the com... in this preſent parliament aſſembled, ... auctoritie of the ſame, that no ſpi... perſon, ſeculer or reguler, of what de...euer he or they be, ſhall from hence... take to ferme to him ſelfe, or to any ... or perſons to his vſe, of the leaſe or ...t of the king our ſoueraign Lord, nor ... other perſon or perſons, by letters ...ts, indentures, writings, by word, or other=

otherwiſe,by any maner of meanes,an
nors,landes,tenementes, or other here
ments for terme of life,for terme of ye
or at will , vppon payne to forfait
poũd for euery moneth that he or any
to his vſe ſhall occupie any ſuch ferm
reaſon of any ſuch leaſe or graunt here
to be made. The one halfe of which fo
ture to be to the king our ſoueraigne
and the other halfe thereof to euery
perſon as will ſue for the ſame by or
writ,bill,or plaint of debt,or by any i
mation in any of the kinges Court
which action and ſuit no wager of law
be admitted for the defendant,nor any
or protection allowed.

¶ And be it alſo enacted by the audi
aforeſaide, that all & euery ſuch ſpiri
perſon or perſons,which now haue or
pie in ferme by them ſelfe,or by any ot
their vſe,any manors,landes, tenemen
hereditamentes, of the leaſe or grau
the king our ſoueraigne Lord, or any
perſon or perſons for terme of life, o
yeares, or at wil, by any writing,or o
wiſe,or that now haue any annual ren
other annual aduãtage or profit,by oc
or colour of any ſuch leaſe or ferme:
clerely bargaine,ſell, geue or graunt
on this ſide the feaſt of Saint Micha
Archangell next comming to any ſuc
perſon or perſons,as they wil at their
nominacions and appointmẽt,al ſuch

ie,intereſt,and pꝛofite as any ſuch ſpi=
al perſō,oꝛ any other to his vſe nowe
oꝛ haue,in,oꝛ by reaſō of any ſuch ferm̄
at in no wiſe any ſuch ſpiritual perſon
rſons at any time after the ſame feaſte,
hem ſelfe oꝛ any other to their vſe by a=
aner of means,fraud,oꝛ male ēgin, ſhal
vſe,oꝛ occupy in ferme, any manoꝛs,
es, tenements oꝛ hereditaments, of the
iſe,leaſe oꝛ graūt of any perſon oꝛ per=
heretofoꝛe made, oꝛ hereafter to bee
e,to them ſelfe,oꝛ to any other to their
:noꝛ from the ſaid feaſt ſhall take any
uel rent oꝛ other annuall aduantage oꝛ
ite, by occaſion oꝛ colour of any ſuche
oꝛ ferme by any maner of meanes,vp=
aine to foꝛfait foꝛ euery moneth ſo oc=
ynge any ſuch ferme,at any time after ye
feaſt,contrary to this pꝛeſent act,tenne
ide,and vpon peine to foꝛfait tenne ties
uch as any ſuch ſpirituall perſon oꝛ a=
o his vſe,ſhall take in any annuell rent
ntage oꝛ pꝛofite,by occaſion oꝛ colour
y ſuche leaſe at any time after the ſaid
. The one halfe of which foꝛfaiture
e to the Kinge our ſoueraigne Loꝛde,
the other halfe to him that will ſue foꝛ
ame by oꝛiginal wꝛite,bille, oꝛ plainte
bt,oꝛ by infoꝛmation in any of the kīgs
ts, in which action & ſuit no wager of
e ſhalbee admitted foꝛ the defendaunt,
any eſſoine oꝛ pꝛotection allowed.

And

¶And be it alſo enacted, that all ſuch
ſes made or hereafter to bee made vnto
ſuch ſpirituall perſon or perſons, or to
other to their vſe, for terme of lyfe, term
yeres, or at will, of any manors, landes
nements, or hereditaments, whereof the
any of them ſhal take any profit, or medl
by them ſelfe or by any to their vſe, after
ſaid feaſt of ſaint Michael, by colour of
ſuch leaſe or graunt, (and not by them
gained, graunted, and ſolde away befor
ſaid feaſt, as is before limitted) ſhall
thenceforth be vtterly voide and of non
fect, as well againſt the leſſour or leſſo
grauntour or grauntours, their heires
aſſignes, and againſt euery of them, a
gainſt the leſſee or leſſees, and their ex
tors and aſſignes, and euery of them.

¶Prouyded alway that this preſent
ſhall not extende to any ſpiritual perſo
perſons, in, and for taking to ferme any
poralties, during the time of vacation
any Archbiſhoprickes, Biſhoprickes,
beis, Priories, or other collegial, cathe
or conuentual churches, nor to any ſpiri
perſon or perſons, that ſhall tende or m
any trauers vpon any offices or office,
cerning his or their freeholde.

¶And be it alſo enacted by the autho
aforeſaid, that no ſpiritual perſon or pe
ſeculer or reguler, of what eſtate or de
ſoeuer they be, ſhal from henceforth by
ſelf, nor by any other for him, nor to his

barg

rgaine and buy to ſel againe for any lucre
ine or profite,in any markets, faires, or
her places,any manner of cattelles,corne,
de,tinne,hides,lether,tallow,fiſh,woole,
ood,or any maner of victuall or marchan=
ſe,what kinde ſoeuer they be of,vpon pein
forfaite treble the value of euery thing by
em,or by any to their vſe bargained and
ught to ſel againe contrary to this preſẽt
te.And that euery ſuch bargaine and cõ=
act hereafter to be made by thẽ, or by any
their vſe contrarie to this acte, ſhall bee
terly voide & of none effecte. And the one
lfe of euery ſuch forfaiture to be to ẏ king
r ſoueraign lord,& the other halfe to him
wil ſue for the ſãe by original writ of det
l,plaint,or informatiõ,in any of ẏ kinges
urtes.In which action or ſuite no wager
law for the defendaunt ſhalbe admitted,
r any eſſoine nor protection allowed.

Prouided alway,that if any ſuch ſpiri=
all perſon or perſõs,ſhal happẽ hereafter
ithout fraud or couine to buy any horſes,
ares,or mewles to the only intẽt to occu-
e for himſelfe or his ſeruauntes,to ride to
d fro,vpon his neceſſarie buſines, or any
her cattelles or goods, to the only intent
d purpoſe at the buying therof to be em=
oied and put,in, and about his neceſſarie
paraile of his own houſe,or of his perſon
d ſeruantes,or in,for,and about the only
cupying,manuring,or tillage of his own
ebe or demeane landes annexed to his

church,or for the neceſſarie expenſes of hi
owne houſhold keeping. And after the buy
ing of any ſuch horſes,cattels or goods, o
exerciſe of them or of anie of them , hapnet
to miſlike anie of them,that they ſhould no
be good,profitable nor conuenient for any o
the purpoſes aboueſaide,for the which the
were bought, that then euery ſuch ſpiritua
perſon or perſons may lawfully bargaine
put away ſuch things ſo by him bought,w
out fraude or couine for any of the purpoſe
aboue ſaide, at his pleaſure and aduantag
this acte or any thing therin contained no
withſtanding.

¶ Prouided alway that all abbots,pr
ours,abbeſſes,prioreſſes, prouoſtes, pre
dentes,maiſters of colledges,and hoſpital
and all other ſpirituall gouernors, and g
uernelles of any ſpirituall monaſteries,
houſes of religion, by what name or nam
ſoeuer they be called,hauing manors,land
and tenementes,hereditamentes, and oth
yerely profites,in the right of their mona
teries or houſes,of the yerely value of vi
C.markes,or vnder,and not aboue,may
and occupie as much and as many of the
demeane landes , fee fermes , and fermes
their moſt aduantage,commodity,and pr
to and for the onely maintenaunce of th
houſholdes and hoſpitalities , in as am
e as large maner as they or any of them ,
their predeceſſours, or the predeceſſours
any of them,at any time by ÿ ſpace of one
yer

res laſt paſt,before the making of this act, ne done,vſed,and occupied. Any thing in is preſent acte to the contrarie notwith= nding.

¶Prouided alſo,that euerie other ſpiri= tl perſon and perſons,not hauing ſufficiēt :be or demeane lands in their owne hands, the right of their churches,monaſteries,& uſes for paſturage of cattelles, or for in= aſe of cornes,to and for the onely expēſes their houſholdes,or for their cariages and irnies, may take in ferme other landes, d buy and ſell corne and cattell for the on- l manurance,tillage, and paſturage of ſuch mes,ſo that the increaſe thereof bee al= ayes imployed and put to,and for the one= expenſes in their houſholdes and hoſpi= tities,and not in any wiſe to buy and ſell aine, for any other commoditie, lucre, or atage any corne or cattell,renewing,cō= nge,or growing,in and vppon anye ſuch me,or otherwiſe, but onely the remayne d ouer plus aboue the expenſes of their uſholdes,if any ſuch ſhall happen to the ed and increaſe therof,without fraude or uine. Any thing in this preſent act to the trarie hereof notwithſtanding.

¶And be it enacted by the auctoritȳ afore d,that if any perſō or perſōs hauing one nefice with cure of ſoule,being of ẏ yerely lue of viij. pounde or aboue, accepte and e any other with cure of ſoule,and be in= uted and inducted in poſſeſſion of ẏ ſame:

that thē and immediatcly after ſuch poſſeſ
ſion had thereof, the firſt benefice ſhalbe ad
iudged in the law to be voyde. And that i
ſhall be lawfull to euery patron, hauing th
auowſon thereof, to preſēt another, and th
preſentee to haue the benefite of the ſame, i
ſuch like manner and fourme as though th
incumbent had died or reſigned, any lycenc
vnion, or other diſpenſation to the cōtrar
hereof obtained, notwithſtinding.

¶ And that euery ſuch licence, vniō, or di
penſation had, or hereafter to bee obtain
contrarie to this preſent acte, of what nam
or names, qualitie or qualities ſo euer th
be, ſhal be vtterly voide and of none effecte.
And if any perſon or perſons at anye tim
after the firſt day of April, in the yere of ou
lord God, M. v. C. and xxx. contrary to th
preſent act, procure and obtaine at the cou
of Rome, or els where, any licēce or licēc
vnion, tolleration, or diſpenſatiō, to recei
and take, any moe benefices with cure, th
is a boue limitted, or els at any time after
ſaide day put in execution any ſuch licen
tolleration, or diſpenſation, before that ob
tained contrarie to this acte: that then eue
ſuch perſon or perſons, ſo after the ſaid d
ſuing for himſelfe, or receiuing and taki
ſuch benefice by force of ſuch licence or l
cences, vnion, tolleration, or diſpenſatio
that is to ſay, the ſame perſō or perſons o
ly and none other, ſhal for euery ſuch defa
incurre the daunger, peine, and penaltie,

.li.ſterlinge. And alſo loſe the whole pro-
s of euery ſuch benefice or benefices, as
receiueth or taketh by force of any ſuche
cence or licences, vnion, tolleratiō, or diſ-
nſatiō. The one halfe of which forfaiture
be to the kinge our ſoueraigne lorde, and
e other halfe thereof to him that wil ſue
the ſāe by original write, byll, plaint of
te, or information in any of the kiges
urts, in which action and ſuit no wager
lawe, eſſoine, or protection for the defen-
nt ſhall be admitted or allowed.

Prouided alwaies, that this act cōcer-
ng the not keping of mo benefices with
e of ſoule then one, extend ne be preiudi-
ll to any perſon or perſons, which at any
e before the ſaide firſt day of April, in the
ire of our Lorde God M.v.C. and xxx.
l be realy intitled or poſſeſſed of any ſuch
efices with cure of ſoule, as concerninge
ouchinge any of the ſāe beneffces, where
hey ſhall then be all ready really ētitled
poſſeſſed before the ſaide daye, to or vnder
number of iiij. and not aboue, and if any
h ſpiritual perſon or perſons ſo beinge ē-
ed or poſſeſſed of moe benefices with cure
oule then iiij. do not by the firſt daye of
pril clerelye and without yerely penſion
gne or otherwiſe geue vp al and euerye
h benefices and benefice as he ſhal be ſoe
itled and poſſeſſed of, aboue the ſaid nū-
r, that then it ſhall bee lawfull for euery
rō hauing ẏ aduowſō of any ſuch bene-

nefice of the ſame in like maner and fourt
as though it had bene voyde by death oꝛ r
ſignation of the incũbent, any licence, vn
oꝛ other diſpenſation to the contrary here
obteined notwithſtanding. And this clau
of pꝛeſentation to be taken and vnderſta
dẽ, and of ſuch benefices with cure of ſou
as were geuen to any ſuch ſpirituall perſ
after the ſaide number of iiij. benefices wi
cure furniſhed and fulfilled.

¶ Pꝛouided alſo, that al ſpirituall mẽ n
being, oꝛ which hereafter ſhall bee of
kings counſaile, may purchaſe licence oꝛ
penſation, and take, receiue, and keepe th
perſonages oꝛ benefices with cure of ſou
& that al other being the kings chaplein
not ſwoꝛne of his cõũſaile, the chapleins
the queene, pꝛince oꝛ pꝛinceſſe, oꝛ of any
kings childꝛen, bꝛethꝛen, ſiſters, vncles,
auntes, may ſemblablye purchaſe licence
diſpenſation, and receiue and keepe two
ſonages oꝛ benefices with cure of ſoule. A
in likewiſe that euerie archbiſhop and d
may haue vi. chapleines, whereof euerie
ſhall and may purchaſe licence, oꝛ diſpen
tion, and take, receiue, and keepe two per
nages oꝛ benefices with cure of ſoule,
that euery marques & earle may haue
chapleines, wherof euery one may purc
licence oꝛ diſpenſation, and take, receiue
keepe ij. perſonages oꝛ benefices with
of ſoule. And that euery viſcount and o
biſhoppe, may haue fower chapleins, wh

'euery one may purchaſe licence, and re•
iue, haue, & keepe two perſonages or bene=
es with cure of ſoule, as is aforeſaid.
nd that the chauncellour of England for
e time being, and euery baron & knight
the Garter, may haue thre chapleines,
hereof euery one ſhal now purchaſe licēce
diſpenſation, and receiue, haue, and keepe
oo perſonages or benefices with cure of
ule. And that euery dutcheſſe, marques,
unteſſe, & baroneſſe, being widowes, maye
ue ij. chapleines, wherof euery one of thē
ay purchaſe licence or diſpenſation to re=
iue, haue, and keepe two benefices with
re of ſoule, & that the treaſourer & comp=
oller of the kings houſe, the kings ſecre=
ry, & deane of his chappell, the kings alm=
r, & ẏ maiſter of ẏ rolles, may haue euerye
them two chapleins, and the chiefe Juſ=
e of the kings benche one chapleine, and
e warden of the fiue portes for the tyme
ing, one chaplein, wherof euery one maye
rchaſe licence, and receiue, haue and keepe
o perſonages, or benefices with cure of
ule. And that the brethren and ſonnes of
temporal lords, which are borne in wed=
ke, maye euerye of them purchaſe ly=
ce or diſpenſation, and receiue, haue
d keepe as manye perſonages or benefi=
s with cure, as the chapleines of a duke
an archbiſhoppe. And likewiſe the bre=
ren and ſonnes borne in wedlocke of e=
rie knight, maye euery of them purchaſe

licence oꝛ diſpenſation,and receiue take an
kepe,two perſonages oꝛ benefices w cu
of ſoule.

¶Pꝛouided alwaies,that the ſaid chap
leines ſo purchaſing , taking,receiuing a
keping benefices with cure of ſoule as
afoꝛeſaid,ſhalbe bounde to haue and exh
bite where nede ſhal be, letters vnder t
ſigne and ſeale of ẏ king,oꝛ other their lo
and maſter,teſtifying whoſe chapleins th
be,and els not to enioy any ſuch plurali
of benefices by ſuch chapleine.Any thing
this act notwithſtanding.

¶Be it alſo pꝛouided that all doctoꝛs a
bachelers of diuinitie,doctours of law,a
bachelers of law canon,and euery of th
which ſhal be admitted to any the ſaide d
grees,by anye of the vniuerſities of th
Realme,and not by grace onely , may pu
chaſe licence,and take, haue, and kepe t
perſonages oꝛ benefices with cure of ſo
ſo that alwaies the ſaide libertie by any
the pꝛouiſions befoꝛeſaide geuen to anye
the ſaide counſailours chapleins,and ot
perſons befoꝛe ſpecified, to purchaſe lice
oꝛ diſpenſation,and take,receiue,and ke
mo benefices thē one,after the manner a
fourme afoꝛeſaide; be taken and vnderſt
den to extende in number to no moꝛe be
fices with cure of ſoule,thē is aboue lim
ted;accompting in the ſame and as par
therof,ſuch benefices with cure of ſoule
any of the ſaid perſōs ſhal haue in real t

in their poſſeſſion, at the ſaide firſt day of
pril, in ye yere of our lord God. M.D.C.
D xxx.

Prouided alſo, that euery Archebiſhop,
cauſe he muſt occupie viij. chapleines at
nſecrations of biſhoppes. And euery Bi=
ppe becauſe he muſt occupie vj. chapleins
geuing of orders & conſecration of chur=
es, may euery of them haue ij. chapleines
er and aboue the number aboue limitted
to them, whereof euery one may purchaſe
ence or diſpenſation, and take, receiue and
pe as many perſonages & benefices with
re of ſoule, as is before aſſigned to ſuch
apleines.

Prouided alſo, and be it enacted by auc=
oritie aforeſaid, that no perſon or perſons
whom anie number of chapleines or any
apleine by any of the prouiſions aforeſaid
limitted, ſhal in any wiſe, by color of any
the ſame prouiſions, auauce any ſpiritu=
perſon or perſons, aboue the number to
m appointed, to receiue or keepe any mo
nefices with cure of ſoule; then is aboue
itted by this acte, any thing ſpecified in
ſaide prouiſions notwithſtanding, and
hey doe, then euery ſuch ſpiritual perſon
d perſons, ſo auaunced aboue the ſaid nū=
r, to incurre the peine and penaltie contai-
d in this acte.

Be it alſo furthermore enacted by the
thoritie aforeſaid, that as wel euery ſpi=
ual perſon nowe being promoted to anie
Arche=

archdeacōry, deanry, or dignity in any mo
naſterie or cathedral church, or other chur
conuentual or collegiall, or being benefic
with anie perſonage or vicarage, as all a
euery ſpirituall perſon & perſonnes, whi
hereafter ſhall be promoted to any of ẏ ſai
dignities, or benefices, with anie perſona
or vicarage from the feaſt of ſaint Migh
the archangel next comming, ſhall be perſ
nally reſident and abiding, in, at, and vp
his ſaide dignitie, prebende, or benefice, or
one of them at ẏ leaſt. And in caſe any ſu
ſpirituall perſon at any time after the ſa
feaſt, kepe not reſidēce at one of his ſaid di
nities, prebend, or benefices, as is aforeſa
but abſent himſelfe wilfully by the ſpace
one moneth together, or by the ſpace of t
moneths, to be accompted at ſeuerall tim
in any one yeare, and make his reſidence a
abiding in any other places, by ſuch tii
that then he ſhall forfait for euerie ſuch
fault x.li. ſterling. The one halfe thereof
the king our ſoueraigne lorde, and the ot
halfe of the ſame to the partie that will
for the ſame in any of the kings courtes
originall writ of debt, bill, plaint, or inf
mation. In which actiō and ſuit the def
dant ſhall not wage his lawe, nor haue a
eſſoine or protection allowed.

¶ And if any perſon or perſons procur
obtaine at the court of Rome or els whe
anie maner of licence or diſpenſation to
non reſident at their ſaid dignities, preb

⁊ benefices, contrarie to this acte, that then
erp ſuch perſon oꝛ perſons, putting in ex=
cution anie ſuch diſpenſation oꝛ licence foꝛ
imſelfe, from the ſaid firſt day of Apꝛil, in
e yere of our loꝛd god M.v.C.⁊ xxx. ſhall
inne and incurre in the penaltie, damage,
d peine of xx. pounde ſterling foꝛ euerie
me ſo doing, to be foꝛfaited and recouered
s is aboueſaid, and ſuch licence oꝛ diſpen=
tion ſo pꝛocured, oꝛ to be put in executiō,
be voide and of none effecte.

¶ Pꝛouided alwaies that this acte of non
ſidence ſhal not in anp wiſe extend ne bee
eiudicial to any ſuch ſpirituall perſon as
all chaunce to be in the kinges ſeruice be=
nd the ſea, noꝛ to anie perſon oꝛ perſons
ig to anp pilgrimage oꝛ holp place bepōd
e ſea, during the time that they ſhal ſo bee
the kings ſeruice, oꝛ in their pilgrimages
ing and returning home, noꝛ to any ſcho=
r oꝛ ſcholers being conuerſaunt and aby=
ng foꝛ ſtudie, without fraude oꝛ couine at
y vniuerſity within this realme oꝛ with=
t, noꝛ to any of the chapleines of ẏ kings
queenes daylie oꝛ quarterly attending
d abyding in the kings oꝛ queenes moſte
noꝛable houſholdes. Noꝛ to anie of the
apleines of the pꝛince oꝛ pꝛinceſſe, oꝛ anie
the kings oꝛ queenes childꝛen, bꝛethꝛen
ſiſterne, attending daylie in their honoꝛa=
e houſholdes, during ſo long as they ſhall
tende in anie of their ſaide houſholdes.

Noꝛ

Nor.to any chapleine of any Archbiſhop
biſhop,or of any ſpiritual or tẽporal lorde
of the parliament,daily attendinge,abidin
and remaining in any of their honourab
houſholds. Nor to any chaplein of any du
cheſſe,marques,counteſſe,vicounteſſe,or b
roneſſe,attendinge dailye and abiding in
ny their honorable houſholds. Nor to an
chapleine of the lord Chauncellor or Tre
ſorer of England,the kinges Chamberlai
or ſtewarde of his houſholde for the ti
being,the treaſorer and comptroller of
kinges moſt honorable houſholde for
time beinge,attending daily in any their h
norable houſholds. Nor to any Chaple
of any the knights of the honorable order
the garter,or of the chiefe iuſtice of the ki
benche,warden of the ports, or alſo of
Maiſter of the rooles. Nor to any ch
leine of the kinges ſecretarie and deane
the Chappell,or almner for the time bein
daily attendinge and dwellinge in any th
houſholdes,duringe the time that any ſu
chapleine or chapleins ſhal abide and dw
without fraude or couine,in any of the
honourable houſholdes. Nor to the ma
of the rolles,or deane of the arches. Nor
any chauncellor or commiſſary of any ar
biſhope or biſhoppe. Nor to as many of
xij.maſters of the Chauncery,and xij.ad
cates of the arches,as be or hereafter ſ
be ſpirituall men,duringe ſo longe time
they ſhall occupy their ſaide romes & off

or to any ſuch ſpirituall perſons, as ſhal
ppen by iniunction of the lord chaūcellor
the kinges counſel to be bounde to anye
ly apparance and attendance to anſwere
the law, during the time of ſuch iniuncti=

Prouided alſo that it ſhall be lawful to
ry ſpirituall perſō or perſōs, being cha=
ines to our ſoueraigne lord the kinge, to
om it ſhal pleaſe his highnes to geue a=
benefices or promotions ſpirituall, to
at number ſocuer it be, to accept & take
ſame, without incurring the daunger,
altie, and forfaiture in this eſtatute cō=
ed. And that alſo it ſhalbe lawful to the
ges highnes to geue licence to euery of
owne chapleins for non reſidence vpon
ir benefices. Any thing in this preſente
contained to the contrarie notwithſtā=
.

And be it furthermore enacted by the
horitie aforeſaid, that no ſpirituall par=
, ſeculer, or reguler, beneficed with cure,
s afore rehearſed, from the feaſt of ſaint
ghel tharchāgel next comming, by auc=
rity of any maner licence, diſpenſation,
therwiſe, ſhal take any particular ſtipēd
larie to ſing for any ſoule, nor haue or
upie by himſelfe, or by any other to his
any perſonage, or vicarage in ferme of
leaſe or graūnt of anye perſon or per=
s, nor take any profite or rent out of any
ferme, vppon peine to forfaite xl. s. for
euery

euery ſuch weeke that he or any to his v
ſhall occupie or haue any ſuch ſtipende
ferme contrary to this preſent act. And v
peine to looſe x. times the value of ſuch p
or rẽt as he ſhal take out of any ſuch fer
after the ſaid feaſt. The one halfe of whi
forfaitures to be to the king our ſoueraig
lord, & the other moity to him that will ſ
for the ſame by originall writ, bill, plaint
debt, or by information in any of the king
courtes, in which ſuit & action, no wager
law ſhalbe admitted for the defendant, n
any eſſoine or protection allowed.

¶ Prouided alway that no deanrie, ar
deaconrie, chauncellourſhip, treaſorerſh
chaunterſhip, or prebende in any cathedr
or collegial church, nor perſonage, that h
a vicar indued, nor any benefice perpetua
appropriate, be taken or cõprehended vn
the name of benefice hauing cure of ſoule
any article afore ſpecified.

¶ Prouided alſo and be it enacted by
aucthoritie aforeſaid, that no ſpiritual p
ſon or perſons reguler or ſeculer, of w
eſtate, degree, or condition ſoeuer he or t
be, from the firſt daye of April next co
ming, haue, vſe, or keepe, by him or thẽ ſe
or by any perſon or perſons to his or t
vſe or commoditie, any maner of tãne ho
or tãne houſes, to be vſed or occupied to
or their owne vſe, commodity, or beh
nor from the ſaid firſt day of April next
ming, ſhall haue, vſe or keepe nny manne

bre

whouſe or brewhouſes to any other vſe
nt or behoofe, then oncly to be ſpent and
ypied in his or their own houſes, vppon
e to forfait for euerye moneth ſo vſing
occupying any of the ſaid miſteries, or
pations x.li. The one moitie thereof to
ing our ſoueraigne Lord, and the other
ty to him that will ſue for the ſame by
inal writ, bil, plaint of det, or informa-
in any of the kings courtes, in which
n and ſuite no wager of law ſhalbe ad-
ed for the defendant, ne any eſſoigne, or
ection allowed.

Prouided alwaies, that euery dutches,
queſſe, counteſſe, baroneſſe, widowes,
ch haue taken, or that hereafter ſhall
anye huſbandes vnder the degree of a
n, may take ſuch number of chapleines
aboue limitted to thē being widowes
that euery ſuch chapleine may purchaſe
ce to haue and take ſuch number of be-
es with cure of ſoule, and haue like li-
c of non reſidence in manner and forme
ey might haue done if their ſaid ladies
miſtreſſes had kept thēſelues widowes.
thing in this preſent acte contained to
ontrarie notwithſtanding.

Prouided alwaies, that euerie ſpirituall
on or perſonnes, hauing landes, tene-
tes or other poſſeſſions in the right of
houſes, aboue the yerely value of viij.
markes, may keepe & retaine in their oc-
tion and manurance, as much as their
ſaid

ſaid landes and tenementes,and other p
ſeſſions , as ſhalbe neceſſarie and ſuffici
for paſturage of their cattelles , and for t
lage of cornes to be employed and ſpent
the only maintenance,ſuſtentation,and k
ping of his or their houſholdes and hoſ
talities,without fraud or couine,any th
in this preſent acte to the contrary ther
notwithſtanding.

¶Prouided alway that it may be law
to euery ſpiritual perſon and perſonnes
take in ferme any meaſes,mãſiõs,or dw
ling houſes,hauing but onely orchardes
gardeines,in any citie,borough, and to
for their own habitation or dwelling.
thing in this acte to the contrary notw
ſtanding. So that no perſõ ſpirituall o
then be aboue prouided for,for their non
ſidence haue any libertie of non reſidenc
colour of this prouiſo : § See the ſtat
made 25.Henry 8.cap.16.and 28.H.
capt 13.and 33.H.8.ca.28.in Re=
ſidẽce 3.4.and 5.who els may
haue diſpenſation & be
non reſident.§

An acte that all fermers may enioy their leaſes, againſt recoueries had by fayned titles, and falſifie the ſame recoueries, An. 21. H. 8. ca. 15. Recoueries 2.

Where afore this time diuers perſons haue made leaſes of their manors, landes, tenements, and other heredi- ments, ſometime by their indentures, and metime without writinges to their per- ns for terme of yeares, taking of thẽ great ies for the incummes of the ſame leaſes, & ter the ſame leſſours, theyr heires or aſ- gnes, haue cauſed and ſuffered recoueries be had againſt them in the Court of our ueraigne lord the king, and in other lords urts, vpon fained & vntrue titles, by craft ouin, to put the ſaid termours from their d termes. And after ſuch recoueries had, e ſame recouerers, by reaſon of ſuch reco- ries and iudgements, haue entred into the ne manors, landes, tenements, and other reditaments, ſo to ferme letten, & thereof ue expulſed the ſaid fermers, contrary to eir ſaid leaſes, couenants, & agreements. nd becauſe it was doubted to ſome perſõs hether the ſaid fermers might falſify ſuch oueries or not.

Be it therefore enacted by the king our ueraigne Lord, by the aſſent of the Lords ritual & temporal, & the commons in this p ſent parliament aſſembled, & by the auc- t rity of ỹ ſame, that al ſuch fermers ſhal &

may falſifie for hys terme onely, ſuch reco
ueries,aſwel heretofore had,as hereafter t
be had,in ſuch wiſe and forme,as a tenaun
of a freeholde,ſhall and may do by the cour
of the cōmon law,where ſuch tenant of fr
hold was neyther priuie nor partie to th
ſame recouerie. And that the ſame termer
their executors and aſſignes, notwithſtan
dinge ſuch recoueries ſo had, ſhall reteyn
hold,& enioy their ſaid termes,according
their ſaid leaſes againſt al ſuch recouerors
their heires and aſſignes. And that the ſa
recouerors their heires and aſſygnes, aft
ſuch recouerie ſo had,ſhal haue like reme
againſt the ſaide termers, their executou
and aſſignes, by auowrie or action of de
for the rentes and ſeruyces reſerued b
pon the ſame leaſes, beyng due after t
ſame recoueries, & alſo like actions again
them for waſt done, after the ſame recou
ries ſo had,in lyke maner and fourme as t
ſaid leſſours ſhould or might haue had
the ſame recoueries had neuer ben had.

And alſo be it further enacted by the au
thoritie aforeſaid, that no maner of ſtatu
of the Staple, ſtatute Marchant, nor ex
cution by Elegit, be hereafter auoyded, or
any wiſe made fruſtrate, by meanes of a
ſach feined recouery,but that al perſons h
uing any lands,tenements,or other here
taments in execution, or being intituled
haue execution of any manours, landes
tenements, by any ſuch meanes, ſhal h

l force of this eſtatute lyke remedy to a=
uide and falſifie the ſame recoueries, as be=
fe is ordeyned and prouided for the leſſee
(terme of yeares.

❡ Auowrie.

An acte concerninge Auowries. Anno 21. H.8.cap.19. Auowrie 1.

Where as well the noble men of thys Realme, as diuers other perſons, by fines, recoueries, grauntes, and fe= feoffements & leaſes, made by their te= ts to perſons vnknowen, of the lands & ements holden of them, haue ben put frō knowlege of their tenants, vpon whom should by order of the law make their wries, for their rentes, cuſtomes, & ſer= s, to their great loſſes & hinderances.
Be it therefore enacted, eſtabliſhed, and ined by aucthoritie of this preſent par= ment, that wheresoeuer any manours, ds, tenements, and other hereditaments, olden by any maner perſon or perſons, entes, cuſtomes, or ſeruices, that if the d, of whom any ſuch manors, landes, te= entes, or hereditamentes bee ſo holden aine vpon the ſame manours, landes, nementes, for any ſuch rents, cuſtomes ruices, & repleuin thereof be ſued, ẏ the d, of whom the ſame lands, tenementes,

or hereditaments be ſo holden, may auo
or his bailiſe or ſeruant make coniſance,
iuſtify for taking of the ſaid diſtres, vpp
the ſame lands, tenements, or hereditame
ſo holden, as in lands or tenements with
his fee or ſeigniorie, alleaging in the ſaid
uowrie, coniſance, & iuſtification, the ſa
manors, landes, and tenements to be holl
of him without naming of any perſon c
taine to be tenant of the ſame, and with
making any auowrie, iuſtification or co
ſance vpon any perſon certeine. And ly
wiſe the Lord, bailiſe, or ſeruant to mak
uowrie, iuſtification, or coniſance, in l
maner and fourme vpon euery writ ſue
ſecond deliuerance.

And alſo be it enacted by the ſaide a
thoritie, that euery auowant, & euery ot
perſon and perſons, that make any ſuc
uowrie, iuſtification, or coniſance, as bai
or ſeruant to any perſon or perſons in
Replegiare, or ſecond deliuerance, for ren
cuſtomes, ſeruices, or for damage feſant
other rent or rentes, vpon any diſtres ta
in any landes or tenementes: if the ſam
uowrie, coniſance, or iuſtification be fo
for them, or the plaintiſes in the ſame
nonſuit, or otherwiſe barred: that then t
ſhall recouer their damages & coſtes aga
the ſaide plaintiſes, as the ſame plaint
ſhould haue done or had, if they had re
uered in the Replegiare, or ſecond deliue
found againſt the ſaid defendants. ‡ See

t.e, anno 7.H.8.cap.4. Recoueries 1.
And be it alſo ordeyned, that the ſayde plaintifes and defendants in the ſaid writs of Replegiare, or writs of ſecond deliuerãce, and in euery of them, ſhall haue like plees & like aide and prayers in all ſuch auowries, conuſances, & iuſtifications, plees of diſclaimer onely except, as they might haue had before the making of this acte, & as though the ſaid auowrie, coniſance, or iuſtification had beene made after the due order of the common law.

And it is further enacted by the ſaid auctoritie, that all ſuch perſons as by ye order of the common law may lawfully ioyne to the plaintifs or defẽdants in the ſaid writs of Replegiare, or ſecond deliuerance, as well without proces as by proces, ſhal frõ hence forth ioine vnto the ſaid plaintifes or defẽdants, aſwel without proces as by proces, & haue the like plees & like auantages, in al things (diſclaim̃ only except) as they might haue done by the order of the common law before the making of this acte.

Attaint.

An acte concerning periurie and puniſhment of vntrue verdictes. Anno 23.H.8. cap.3. Attaint 15.

The king our ſoueraigne lord of his moſt godly & gracious diſpoſicion, calling to his remembrance, how that periurie in this

lande is in manifolde cauſes, by vnreaſo
ble meanes, deteſtably vſed to the inherit
and great damage of many and great nu
ber of his ſubiectes, wel diſpoſed, and to
moſte high diſpleaſure of Almighty G
The good ſtatutes againſt all officers
hauing returne of writs and their deput
making panells parcially for rewardes
them geuen, againſt vnlawfull maint
nors, embraceors and iurors, and aga
iurors vntruely geuing their verdict, n
withſtanding. For reformation wher
and forasmuch as the late noble king H
rye the ſeuenth, prouided remedye for
ſame by a ſtatute made in the xj. yere of
raigne ‡cap 24.‡ which ſtatute is now
pyred. Be it therefore now enacted by
king our ſoueraigne Lord, & the Lords
rituall and temporall, and the Comm
in thys preſent Parlyament aſſembl
and by authoritie of the ſame, that
pon euerye vntrue verdicte hereafter g
uen betwixt partye and partye, in a
ſuyte, plaint, or demaunde, before a
Iuſtices or Iudges of recorde, where
thinge in demaunde and verdicte there
pon geuen, extendeth to the value of fo
pounde, and concerneth not the ieopard
mans lyfe, the partie greued by the ſa
verdict, ſhall haue a writte of Attaint
gainſt euery perſon hereafter ſo geu
an vntrue verdicte and euery of them,
aga

einſt the party, which ſhall haue iudge-
ment vppon the ſame verdict. And that in
the ſame attaint, there ſhalbee awarded a-
gainſt the petit iurye , the party , and the
graunde Jury, Sommons, reſomm, and diſ-
treſſe infinite, which graund Jurye ſhall bee
of like number, as the graunde iurie is now
in attaint: and euerye of them, that ſhall
paſſe in the ſame , ſhall haue landes and
tenementes to the value of twenty markes
by the yeare, of freeholde, out of the aunci-
ent demeſne. And vpon the diſtres which
ſhall bee deliuered of recorde, vpon the ſame
then proclamation to be made in the court
where the diſtreſſe ſhall bee awarded more
then fifetene daies afore the retourne of the
ſame diſtreſſe, and euerye ſuch diſtreſſe ſhall
be made vppon the lande of euerye of the
ſaide graunde Jurye, as in other diſtreſ-
ſes is and hath bine vſed. And if the ſaide
partye defendant , or the petite Jurours,
or anye of them appeare not vpō the diſtreſſe
then the graund iurie to be taken againſte
them and euerye of them that ſhall ſo make
default. And if any of the ſaide petite iu-
rie appeare, then the partie complainant in
that behalfe, ſhall aſſigne the falſe ſeremēt
of the firſt verdict vntrulye geuen , where-
unto they of the petite iury ſhall haue none
anſwere (if they bee the ſame perſones,
and the writte, proces, retorne, and aſſigne-
ment goode and lawful) , except that the
demaundaunt or , plaintife in the ſame

S.iiij. Attaint

Vide p expoſi de p dit ſtat 21. H. 7. 37.

Attaint hath afore ben nonſuit,or diſconti
nued his ſuit of attaint taken for the ſam
or hath for the ſame verdict in a writ of a
taint had iudgement againſt the ſaid peti
iurie)but onely ỷ they made true ſeremen
which iſſue ſhalbe tried by xxiiij.of the ſa
grand iury,& the partie ſhal plead,that th
gaue true verdit,or any other matter,whi
ſhalbe a ſufficient barre of the ſaid attai
And that plee notwithſtanding the grau
iurie to be taken without delay,to enqui
whether the firſt iurie gaue true verdict
no. And if they finde that the ſaid petit i
rie gaue an vntrue verdict,then euery of t
ſaid petite iurie to forfait xx.li.whereof t
one halfe ſhalbe to the king our ſoueraig
Lord,& the other halfe to the partie that ſ
eth. And ouer that,that euery of the ſay
petit iurie ſhall ſeuerally make fine & rau
ſome by the diſcretion of ỷ Iuſtices,befo
whom the ſaid falſe ſerement ſhalbee fou
after their ſeueral offences,defautes & ſuff
ciency of euerie of the ſaid petit iurie. A
after that,that thoſe of the ſaid petite iu
ſo attainted ſhall neuer after be in any cr
dence,nor their othe accepted in any cou
And if ſuch plee as ỷ partie pleadeth,whi
is a barre of the ſaid Attaint be founde
deemed againſt him that ſo pleadeth, th
the partie that ſo ſueth ſhal haue iudgem
to be reſtored to that he loſt with his re
ſonable coſtes and dammages.

¶ Forſeene alway that any vtlarie
acti

tion oꝛ cauſe perſonal,oꝛ excommengemēt
eaded oꝛ alleaged in the party plaintife oꝛ
mañdāt ſhal be taken but as a void plee,&
that he ſhal not be put to anſwere. And
at in al the afoꝛeſaid pꝛoceſſe ſuch day ſhal
e geuen as in a wꝛitte of Dower, and nōe
oine oꝛ pꝛotection to lie noꝛ to be allowed
the ſame. And if the ſaid grand iury ap=
ere not vpon the firſt diſtres had againſt
em,ſo that the iury foꝛ their default do re
ine,he that maketh default ſhall foꝛfaite
the kinge twenty ſhillinges, and vpon ẏ
ond diſtres foꝛty ſhillings,& after makig
ault,foꝛ euery ſuch default fiue pounde,
like penalties and foꝛfaitures to be a=
nſt them and euery of them that ſhall bee
ned in the Tales,as is afoꝛe expꝛeſſed a=
nſt euery of the ſaide grand iury afoꝛe=
de. And that foꝛ and by the death of the
ty oꝛ any of the ſaide petit iury,the ſaide
int ſhal not abate,noꝛ be deferred agaīſt
remnant,as longe as two of the ſaid pe=
iury be aliue.

nd if hereafter any falſe verdit be geuē
ny action, ſuit oꝛ demaunde, afoꝛe anye
ſtice oꝛ iudge of recoꝛd,of any thing per=
all,as det,treſpas,and other like, which
be vnder the value of foꝛty pound, that
n the party greued ſhal haue attaint, wt
pꝛoces and plees as is afoꝛe reherſed,&
ues to be taken awaye as is afoꝛe remē=
d: except that in this caſe of attainte
ry perſon of the graund iury that may
diſpende

diſpende v.markes by the yere of frehol[d]
out of auncient demeſne, or is worth an hũ
dred markes of goods and cattalls, ſhalbe [a]
ble to paſſe in ý ſame attaint. And if ý peti[t]
iurie be attainted, that then they ſhal in th[e]
caſe of attaint euery of them forfait v.l[i.]
whereof one halfe ſhal be to ý kinge, & ý [o]
ther halfe to the party, after the forme afo[re]
reherſed, & ouer ý to make fine & raunſo[m]
by ý diſcretiõ of ý iuſtices, as is aforeſaid.

And if there be not perſons of ſu[ch]
ſufficiencye within the ſhire or place wh[ere]
anye of the ſaide attaintes ſhall be tak[en]
as may paſſe in the ſame: be it ordeined b[y]
auctoritye aboueſaide, that then one Ta[les]
ſhalbee awarded into the ſhire next adioi[n]
by the diſcretion of the Iuſtices, afore w[hom]
the ſame attaints ſhall be taken, which ſ[hal]
be warned to appere vpõ like peines, as
aforeſaide, and enabled to paſſe in the ſa[me]
attaints, as if they were dwelling in ý ſh[ire]
where the ſame attaint ſhalbe taken. A[nd]
that the ſame lawes action and remedye [or]
deined by this preſent act, be kept for and
all them that ſhalbe greued by ſuch vntr[ue]
verdicts of any inheritance, in diſcent, [re]
uerſion, remainder, or of any freeholde in [re]
uerſion or remainder. And if the party in [at]
taint geuen by this act be nõſuit, or ý ſe[e]
diſcontinue, that thẽ ý ſaid party ſo nõſ[uit]
or ſo diſcõtinuinge ý ſaid attaint, make [fine]
& raũſõ by ý diſcretiõ of ý iuſticez afore w[hõ]
the ſaid attaint ſhalbe taken & depending.

¶A

¶And that al attaintes hereafter to be ta=
en, ſhalbe taken afore the king in his bẽch,
afore the Juſtices of the common place, &
none other Courts. And that Niſi prius
albe graunted by diſcretion of the Juſti=
s vpon the diſtres. And euery of the ſaid
tit Jurie may appeare and aunſwere by
torney in the ſaid attaint. And that the
oity of the ſaid forfaiture of the petit iury
albe leuied to thuſe of our ſoueraigne lord
Capias ad ſatisfaciendum, or Fieri facias, or
egit, or by action of det, againſt euery per=
n of the petit iurie ſo forfaiting, & againſt
s executors and adminiſtrators, hauyng
en ſufficient goodes of their ſaid teſtatour
t adminiſtred: and the other moitie ſhall
like proces be leuied to the vſe of ye party
at ſueth any attaint geeuen by this act, a=
inſt euerie of the ſaid petit iurie and his
ecutors or adminiſtrators, hauing then
fficiency of goods as is aforeſaid, not ad=
niſtred, and the iudgement of reſtitution
the partie greeued ſuing this act and exe=
tion of the ſame to be had, and like iudge=
nt for the partie defendant or tenaunt to
e diſcharged of reſtitucion, as afore this
eſent act in caſe of a graũd attaint had ben
ed. And if there be diuers plaintifs or de=
undants in attaint, that the nonſuit or
eaſe of any of them ſhall not bee in any
ſe hurtful or preiudicial to ye reſidue, but
at they & euery of them in ſuch caſes may
be

be ſummoned and ſeuered lyke as it is vſe when there be dyuers demaundantes in ac tions reals.

¶ Be it alſo ordeyned and enacted by th authority aboueſaid, that in euery writ attaint hereafter to be takē by or vpon thi act, the which ſhalbe ſuch as other writte of attaint be, & after the Teſte of the ſam writ, ſhalbe written theſe wordes in lati Per ſtatut̄ continuat̄ vſq; annum viceſimum te cium domini Henrici octaui dei gratia Angliæ Franc' Regis, fidei defenſ. & domini Hiberniæ.

¶ And it is alſo enacted, that this act ſh take effect for verdictes hereafter to be ge uen and to continue to the laſt day of t next Parliament.

¶ Prouyded alway, that this acte be n preiudicial to a ſtatute made in the xj. yea of the late king of famous memorie Hen the vij. for puniſhment of Periurie in v true verdictes geuen in plaintes ſued in t Courtes of the Citie of London, but th it ſhalbe at the liberty of al perſōs, for & v on any vntrue verdict geuen in any cour of the ſame citie, to ſue their Attaint vp this eſtatute, or els vpon the ſaid eſtatu made in the ſaid xj. yere at their owne ple ſures and willes. ‡ See Anno 11. H. 7. ca. Attaint 13.

¶ For Attaintes in London, Note th thys Statute is made perpetuall, Anno Elizab. cap. 25.

¶

Si home seisie en droit de sa feme fist feoffment a l'[illegible] de luy mesme et son feme & heirs et a rester donc q[illegible] il longe dur[illegible] et apres a divers autres uses, et puis vient cest estatute, entant q[illegible] le feoffment por le baron fuit discontinuance et per le estatute q[illegible] vient per le limitacion del use, le feme n'est remitt mes est [illegible] solement come purchasor del possession [illegible] per vertue de cel estatute. melior opinio. fol. Co. iii.

An acte expreſsing an order for vſes, and willes, An. 27. H. 8. cap. 10. Vſes 9.

WHere by the common lawes of thys Realme, landes, tenementes, & here=ditaments, be not diuiſable by teſta=ent, nor ought to be tranſferred from one another, but by ſolempne liuerie & ſeiſin, atter of recorde, writing ſufficient, made na fide, without couine or fraude, yet ne=rtheleſſe, dyuers and ſundry imaginati=s, ſubtile inuentions and practiſes haue n vſed: wherby the hereditaments of this alme haue ben conueied frō one to another fraudulent feoffements, fines, recoueries d other aſſurāces craftely made, to ſecret es, intents, and truſtes, and alſo by wills d teſtaments, ſometime made by nude pa=ll and woordes, ſometime by ſignes and kens, & ſometime by writing, and for the oſt part made by ſuch perſons as be vyſi=d with ſicknes in their extreame agonies d paines, or at ſuch time as they haue had antly any good memorie or remembrance, which times they being prouoked by gre= and couetous perſons lying in a wayte out thē, do many times diſpoſe indiſcret= & vnaduiſedly their landes and inheri=ances: by reaſon whereof & by occaſion of hich fraudulent feoffemēts, fines, recoue=s, & other like aſſurances to vſes, cōfiden=s & truſtes, diuers & many heires haue ben iniuſtly

iniuſtly at ſūdꝛy times diſherited, the loꝛ
haue loſt their wardes, mariages, reliefe
harriots, eſcheates, aides pur faire fits ch
ualer, & pur file marier, and ſcantly any pe
ſon can be certeinly aſſured of any lands
them purchaſed, noꝛ knowen ſurely agai
whom they ſhal vſe their actions oꝛ exec
tion foꝛ their rightes, titles, & duities. Al
men maried haue loſt their tenancy by t
curteſie, womē their dowers, manifeſt pe
iuries, by trial of ſuch ſecret willes & vſ
haue bene committed. The kinges highne
hath loſt the pꝛofites and aduauntages
the landes of perſonnes attainted, and t
landes craftely put in feffement to the v
of alyens boꝛne, and alſo the pꝛofites
waſte foꝛ a yeare and a day, of landes of
lons attainted, and the loꝛdes their eſche
thereof, and many other inconuenienc
haue happened and daily do encreaſe amo
the kinges ſubiectes, to their great trou
and inquietnes, to the vtter ſubuerſion
the auncient common lawes of this realm
Foꝛ the extirping and extinguiſhment of
ſuch ſubtile pꝛactiſed feoffements, fines, r
coueries, abuſes and errours, heretofo
vſed and accuſtomed in this Realme, to t
ſubuerſion of the good and auncyent law
of the ſame, and to the intent that t
kinges highnes, oꝛ any other his ſubiect
of thys Realme, ſhall not in anye wy
hereafter by any meanes oꝛ inuentions,
deceyued, domaged, oꝛ hurted, by reaſon
ſy

ch truſtes, vſes, oꝛ confidences, it may
aſe the kinges moſt royal Maieſtie, that
may be enacted by his highnes, by thaſ=
t of the Loꝛdes ſpirituall and tempoꝛal,
d the commons in this pꝛeſēt parliament
embled, and by aucthoꝛitie of the ſame, in
ner and fourme following, that is to ſay,
t where any perſon oꝛ perſons ſtande oꝛ
eiſed, oꝛ at any time hereafter ſhall hap=
to be ſeiſed, of & in any honoꝛs, caſtels,
noꝛs, lands, tenementes, rents, ſeruices,
erſions, remainders, oꝛ other heredita=
nts, to the vſe, confidence, oꝛ truſt, of a=
other perſon oꝛ perſonnes, oꝛ of any bo=
politique, by reaſon of any bargayne,
, feoffement, fine, recouerie, couenaunt,
tract, agreement, will oꝛ otherwiſe, by
maner meanes whatſoeuer it bee, that
uery ſuch caſe, all and euery ſuche per=
ne and perſonnes, and bodies politique,
t haue oꝛ hereafter ſhall haue any ſuche
, confidence, oꝛ truſt, in fee ſimple, fee taile
terme of life, oꝛ of yeares, oꝛ otherwiſe,
ny vſe, confidence, oꝛ truſt in remainder
euerter, ſhall from hencefoꝛth ſtand and
eiſed, deemed, and adiudged in lawfull
on, eſtate, and poſſeſſion, of, and in the
e honours, caſtels, manoꝛs, landes, te=
entes, rentes, ſeruices, reuerſions, re=
nders, and hereditamentes, with theyr
urtenances, to all intentes, conſtructi=
, and purpoſes in the lawe, of and in
lyke eſtates, as they had oꝛ ſhall haue
in vſe

rest primer braunche ... a metter le terr en cestuy que est accordaunt al quantitie del estate. Ploy. Co. 112.

in vſe,truſt,oꝛ confidence,of, oꝛ in the ſa
And that the eſtate,title,right,⁊ poſſeſ
that was in ſuch perſon oꝛ perſons,ẏ w
oꝛ hereafter ſhalbe ſeiſed of any lands,te
ments,oꝛ hereditamentes, to the vſe,con
dence oꝛ truſt of any ſuch perſon oꝛ perſ
oꝛ of any bodie politike,be from henceſo
clerely demed and adiudged,to be in him
them that haue oꝛ hereafter ſhall haue ſ
vſe,confidence,oꝛ truſt, after ſuch quali
maner,foꝛme,and condicion,as they had
foꝛe,in oꝛ to the vſe,confidence,oꝛ truſt t
was in them.

¶And be it further enacted by the auc
ritie afoꝛeſaid,that where diuers and m
perſons,be oꝛ hereafter ſhall happen to
iointly ſeiſed,of ⁊ in any lands,teneme
rents,reuerſions,remainders, oꝛ other
reditaments, to the vſe,confidence, oꝛ t
of any of them,that be ſo iointly ſeiſed,t
in euery ſuch caſe,that thoſe perſon oꝛ p
ſons,which haue oꝛ hereafter ſhal haue,
ſuch vſes,confidence, oꝛ truſt , in any ſu
landes, tenementes, rentes,reuerſions,
mainders,oꝛ hereditaments, ſhall frõ he
foꝛth,haue ⁊ be demed ⁊ adiudged to h
onely to him oꝛ them,that haue oꝛ herea
ſhall haue ſuch vſe,confidence,oꝛ truſt,
eſtate, poſſeſſion, and ſeyſin, of and in
ſame landes,tenements,rentes,reuerſi
remaynders, oꝛ other hereditamentes
lyke nature,maner, fourme, condicion,
courſe, as he oꝛ they had befoꝛe in the
confid

confidence oꝛ truſt of the ſame landes, tene=
mentes, oꝛ hereditamentes. Sauing, and re=
ſeruing to all and ſinguler perſons and bo=
ies politike, their heires and ſucceſſours,
ther then thoſe perſon oꝛ perſons, which
e ſeaſed oꝛ hereafter ſhalbe ſeaſed of anye
ãds tenemẽts oꝛ hereditamẽts to any vſe, cõ=
dẽce oꝛ truſt, al ſuch right, title, entrie, in=
reſt, poſſeſſiõ, rẽts and action, as they oꝛ ma=
y of them had oꝛ might haue had befoꝛe the
aking of this acte.

¶ And alſo ſauing to all and ſinguler thoſe
erſõs, and to their heires, which be oꝛ here=
fter ſhalbe ſeaſed, to any vſe, al ſuch foꝛmer
ght, title, entry, intereſt, poſſeſſions, rents,
ſtomes, ſeruices, and action, as they oꝛ any
them might haue had to his oꝛ their own
oper vſe, in oꝛ to any manours, landes, te=
ments, rentes, oꝛ hereditamentes, wherof
ey be oꝛ hereafter ſhalbe ſeaſed to any o=
er vſe, as if this pꝛeſent act had neuer bene
d oꝛ made, any thing contained in this
te to the contrarie notwithſtanding.

¶ And where alſo diuers perſons ſtand
d be ſeaſed of, and in any lands, tenemẽts,
hereditamentes, in fee ſimple, oꝛ other
iſe to the vſe oꝛ intẽt that ſome other per=
n oꝛ perſons, ſhal haue and perceiue yerely
thẽ and to his oꝛ their heires one annual
t, of tenne poundes oꝛ moꝛe oꝛ leſſe out of
ſame landes and tenementes, and ſome
er perſon one other annual rent to him &
aſſignes foꝛ terme of life, oꝛ yeres, oꝛ foꝛ

Remember me When this you
See: Wm Blanchaſ[illegible]

I had a tokne Broad and for
for you deare Sr I had it
Heare

But [illegible]

Robert A. McCulloch
June 1867

No
Robert McCulloch

ſome other ſpeciall time, accordinge to ſuch
intent and vſe, as hath bene heretofore de-
clared, limited, and made thereof. Be it ther-
fore enacted by the audthoritie aforeſaide, t
in euery ſuch caſe, the ſame perſons their
heires, and aſſignes, that haue ſuche vſe and
intereſt, to haue and perceiue any ſuch an-
nuall rents out of any lādes, tenementes, or
hereditaments, that they and euery of them
their heirs and aſſignes, bee adiudged and
deemed to bee in poſſeſſion and ſeiſin of th
ſame rent, of and in ſuch like eſtate, as they
had in the title, intereſt or vſe of the ſaid
rent, or profitte, and as if a ſufficient graun
or other lawfull conueiance had ben made
executed to them, by ſuch as were or ſhal
bee ſeiſed to the vſe or intent of anye ſuch
rent to be had, made, or paied, accordinge t
the verye truſte and intent thereof. An
that all and euerye ſuch perſon and perſon
as haue or hereafter ſhall haue any title, v
and intereſt, in or to any ſuch rent or profi
ſhall lawfully diſtreine for none paiment
the ſaide rēt, and in their owne names mak
aduowries, or by their Bailifes or ſeruant
make cognuſances & iuſtifications, and ha
al other ſuits, entries, and remedies, for ſu
rēts, as if the ſame rents had bē actually
really grāted to them, wͭ ſufficient clauſ
of diſtres, reentrie, or otherwiſe, accordin
to ſuch cōditions, paines, or other thing
limited & appointed vppon the truſt & int
for paiment of ſuerty of ſuch rent.

¶ I

¶ And be it further enacted by the autho=
ritie aforeſaid, that where as diuers perſōs
haue purchaſed or haue eſtate made & con=
ueied of and in diuers landes, tenementes &
hereditaments vnto them & to their wiues
and to the heires of the huſbande, or to the
huſband & to the wife, and to the heires of
their two bodies begottē, or to the heires of
one of their bodies begotten, or to the huſ=
band and to the wife for term̄ of their liues
or for terme of life of ẏ ſaid wife. Or where
any ſuch eſtate, or purchaſe of anie landes,
tenemēnts, hereditamēts, hath bene or here=
after ſhalbe made to any huſbād and to his
wife, in maner and fourme aboue expreſſed,
or to any other perſon or perſons, & to their
heires and aſſignes, to the vſe and behoofe, of
the ſaid huſband and wife, or to the vſe of
the wife, as is before rehearſed, for the ioin=
ter of the wife: that then in euery ſuch caſe,
euery woman maried, hauing ſuch ioynter
made or hereafter to be made, ſhal not claim̄
or haue title to haue any dower of the re=
uenue of the lands, tenemēts or hereditam̄ts,
that at any time were her ſaid huſbands by
whō ſhe hath any ſuch iointer, nor ſhall de=
maund nor claime her dower of and againſt
them that haue the landes, and inheritaun=
ces of her ſaide huſbande. But if ſhe haue
no ſuch iointer, then ſhe ſhall bee admitted
and inhabled to purſue, haue and demaunde
her dower by writte of dower, after the
the courſe and order of the common lawes

of this realme:this act oꝛ any lawe oꝛ pꝛo-
uiſion made to the contrarie thereof notw-
ſtanding.

¶Pꝛouided alway,that if any ſuch wo-
mā be lawfully expulſed oꝛ euicted from he
ſaid iointer,oꝛ from any part thereof,with-
out any fraude oꝛ couine, by lawfull entre
action oꝛ by diſcontinuance of her huſbande
then euery ſuch woman ſhal be endowed o
as much of the reſidue of her huſbandes te
nementes,oꝛ hereditamentes, whereof ſh
was befoꝛe dowable, as ẏ ſame landes an
tenements,ſo euicted and expulſed, ſhall a
mount oꝛ extend vnto.

¶Pꝛouided alſo, that this acte oꝛ an
thing therin cōtained oꝛ expꝛeſſed, extēd n
noꝛ be in any wiſe hurtful oꝛ pꝛeiudicial t
any womā oꝛ women, heretofoꝛe being m
ried,of foꝛ oꝛ cōcerning ſuch right, title, o
intereſt oꝛ poſſeſſion,as they oꝛ any of the
haue claime oꝛ pꝛetende to haue foꝛ her
their iointer oꝛ dower,of,in oꝛ to anie m
nours,landes,tenementes, oꝛ other hered
tamentes,of any of their late huſbands,b
ing now dead oꝛ deceaſed, any thing conta
ned in this act to the contrarie notwithſt
ding.

¶Pꝛouided alſo, that if any wife haue
hereafter ſhal haue any manoꝛs,landes, t
nementes,oꝛ hereditaments, vnto her ge
oꝛ aſſured after mariage, foꝛ terme of
life,oꝛ otherwiſe in iointer, except the ſa
aſſurance bee to her made by acte of parl
men

ment, and the ſaid wife after that fortune to
uer liue the ſame her huſbande, in whoſe
time the ſaide iointer was made or aſſured
vnto her, that then the ſame wife, ſo ouerli=
ing, ſhal and may at her libertie, after the
death of her ſaid huſband, refuſe to haue &
take the landes, and tenementes, ſo to her
geuen, appointed or aſſured, during the co=
uerture, for terme of her life or otherwiſe in
iointer: except the ſame aſſurance be to her
made by acte of parliament, as is aforeſaide,
and thereupon to haue, aſke, demaunde and
take her dower, by writ of dower, or other=
wiſe, according to the common lawe, of and
in all ſuch landes, tenements, and heredita=
mentes, as her huſbande was and ſtoode ſei=
ſed of any ſtate of inheritance, at anie time
during the couerture, anie thing contayned
in this act to the contrarie in any wiſe not=
withſtanding.

¶ Prouided alſo that this preſent acte nor
any thing therein contained, extende, nor bee
at any time hereafter interpreted, expoũded
or taken, to extinct, releaſe, diſcharge or ſuſ=
pend, any ſtatute, recogniſance, or other bõd
by the execution of any eſtate, of, or in anye
landes, tenementes, or hereditamentes,
by the auctority of this act, to any perſõ, or
perſons, or bodies politique, any thing cõ=
tained in this act to the cõtrarie therof not=
withſtanding.

¶ And foraſmuch as great ambiguities &
doubts may ariſe of ỹ validity & inualidity

of willes heretofore made of any landes, te-
nements, and hereditamentes, to the grea
trouble of the kinges ſubiectes: the kinge
moſt royal maieſtie minding the tranquility
and reſt of his louing ſubiectes, of his moſ
excellent and accuſtomed goodnes is pleaſe
and contented, that it be enacted by the auc
thority of this preſent parliamẽt, ỷ all mane
true and iuſt willes and teſtamentes, here
tofore made, by any perſon or perſons, de
ceaſed, or that ſhall deceaſe, before the firſt
day of May, that ſhalbe in the yeare of ou
lord god M.v.C.xxxvi. of anie lands, tene
ments, or other hereditamentes, ſhall be ta
ken and accepted good and effectuall in th
lawe, after ſuch faſhion, maner and fourm
as they were cõmonly taken & uſed, at an
time win forty yeres next before the makin
of this act, any thing cõtained in this act, o
in the preamble thereof, or anie opinion o
the common lawe to the contrarie there
notwithſtanding.

¶ Prouided alwaies, that the kings high
nes, ſhall not haue, demaunde, or take any
aduauntage or profite, for or by occaſion o
the executing of anie eſtate onelye by au
thoritie of this acte, to any perſonne or pe
ſons, or bodies politique, which now hau
or on this ſide the ſaide firſt daye of May
which ſhall bee in the yeare of our Lor
god. M.v.C.xxxvi. ſhall haue anie uſe or
uſes, truſtes, or confidences, in anie m
nours, landes, tenementes, or heredit
men

mentes,holden of the kinges highnes, by
reaſon of primer ſeyſon, liuerie, ouſter le
maine,fine for alienation,reliefe, or harriot
but that fines for alienations,reliefes, and
harlottes,ſhal bee paide to the kinges high-
neſſe. And alſo liueries and ouſter le mains
ſhal be ſued for vſes,truſtes, and confiden-
ces to bee made and executed in poſſeſſion,
by auchoritie of this acte, after and from
the ſaide firſte daye of Maye, of landes,
and tenementes and other hereditamentes
holden of the king in ſuch like manner and
fourme, to all intentes,conſiderations, and
purpoſes as hath heretofore bene vſed or ac-
cuſtomed by yͤ order of yͤ laws of this realm
¶ Prouided alſo, that no other perſon or
perſons or bodies politique, of whom anie
lands,tenements,or hereditamẽts be or here-
after ſhal be holden, mediate or immediate,
ſhal in any wiſe demaund or take, anie fine,
reliefe,or hariot,for or by occaſion of yͤ exe-
cuting of any eſtate by yͤ auchoritie of this
act to any perſon or perſons, or bodies poli-
tique,before yͤ ſaid firſt day of May, which
ſhal be in the yeare of our Lord God 1536.
¶ And be it enacted by auchority aforeſaid
that all and ſinguler perſon and perſons, &
bodies politique, which at any time on this
ſide the ſaid firſt day of May which ſhalbee
in the yere of our lord god 1536. ſhall haue
anie eſtate vnto them executed, of and
in anye landes, tenementes, or heredita-
mentes,by the auchoritie of this acte, ſhall

and may haue and take the ſame oꝛ like ad-
uantage,beneſite,boucher,aide pꝛaier,reme-
dy,cōmodity and pꝛofitte,by action entrie
condition oꝛ otherwiſe, to all intents con-
ſtructions oꝛ purpoſes,as the perſon oꝛ per-
ſons ſeiſed to their vſe,of, oꝛ , in any ſuc
landes,tenements,oꝛ hereditaments,ſo ex-
ecuted,had,ſhould,might oꝛ ought to hau
had,at the time of the execution of the eſtat
thereof,by the authoꝛity of this act,again
any other perſon oꝛ perſons,of , oꝛ foꝛ an
waſt,diſſeiſin,treſpas,condition bꝛoken, o
any other offence,cauſe, oꝛ thinge cōcerni
oꝛ touchinge the ſaide landes oꝛ tenement
ſo executed by the authoꝛity of this act.

¶Pꝛouided alſo,and be it enacted by th
authoꝛity afoꝛeſaid,that actions nowe de
pending againſt any perſon oꝛ perſons, ſei
ſed of oꝛ in any landes, tenements,oꝛ here
ditaments,to any vſe,truſt oꝛ confidēce, ſh
not abate ne be diſcharged foꝛ oꝛ by reaſo
of executing of any eſtate thereof by autho
rity of this acte,befoꝛe the ſaide firſt day o
May which ſhal be in the yeare of our loꝛ
God 1536.any thinge conteined in this a
to the contrary notwithſtandinge.

¶Pꝛouided alſo, that this act noꝛ an
thinge therein conteined,ſhal not be pꝛeiu
dicial to the kinges highnes,foꝛ wardſhi
of heirs now beinge win age,noꝛ foꝛ lyu
ries,oꝛ foꝛ ouſter le maine , to be ſued by a
ny perſon oꝛ perſons now beinge with
age,oꝛ of full age,of any lands oꝛ tenemen
vn

onto the ſame heire or heires now alreadye
diſcended, any thinge in this acte conteined
to the contrary notwithſtanding.

¶ Prouided alſo, and be it enacted by the
auctority aforeſaid, that all and ſinguler
recogniſances heretofore knowledged, takẽ
& made, to the kinges vſe, for or concerning
any recoueries of any landes, tenements or
hereditaments, heretofore vſed or had, by
writ or writts of entre vpon diſſeiſin in le
poſt, ſhal from hence forth be vtterly voide,
and of none effect to all intents, conſtructi-
ons, and purpoſes.

¶ Prouided alſo, that this acte, nor anye
thinge therein conteined, be in any wiſe pre
iudiciall or hurtful to any perſon or perſõs
borne in wales, or the marches of the ſame
which ſhal haue any eſtate to them executed
by auctority of this act, in any lands, tene-
ments, or other hereditaments, within this
realme, whereof any other perſon or per-
ſons now ſtand or be ſeiſed, to the vſe of a-
ny ſuch perſon or perſons borne in wales,
or in the marches of the ſame: but that ẏ ſãe
perſon or perſons borne in wales or in the
marches of the ſãe, ſhal or may lawfully
haue reteine or kepe the ſame lands tene-
ments or other heredytamẽts, wherof eſtate
ſhall be ſo vnto thẽ executed by the auctori-
ty of this act, according to ẏ tenour of ẏ ſãe,
any thing in this act conteined, or any other
act or prouiſion heretofore had or made to ẏ
contrary, notwithſtandinge.

¶ An acte concerning Inrollements of bar- gaines and contractes of landes & tenements. an. 27. H. 8. Cap. 16.

¶ Inrollementes. 2.

BE it enacted by the auctho[r]it
of this preſent parliamēt, th
frō ỷ laſt day of July, wh
ſhalbe in the yere of our Lor
god 1536. no manours, lande
tenements, or other heredit
mentes, ſhall paſſe, alter, or change, from o
to another, wherby any ſtate of inheritan
or frœholde, ſhalbe made or take effecte, in
ny perſon or perſons, or any vſe thereof
be made, by reaſon onely of anie bargay
and ſale thereof, excepte the ſame barga
and ſale be made by writing indented, ſe
led, and inrolled in one of the kings cou
of recorde at Weſtminſter, or els within t
ſame coūtie or coūties where the ſame m
nours, landes, or tenementes, ſo barga
ned and ſolde, lie or bee, before the Cuſt
Rotulorum, and two Juſtices of the pe
and the clerke of the peace of the ſame cou
tie or counties, or two of them at the lea
whereof the clerke of the peace to bee o
and the ſame enrollement to be had & m
within ſixe monethes next after the date
the ſame writings indēted, the ſame cuſ
Rotulorum, or Juſtices of the peace,
cle

lerke, takinge for the enrolment of eue-ry ſuche writinge indented before them, where the land compriſed in the ſame writ-ing exceede not the yerely value of fortye two ſhillings, that is to ſay, xij.d. to the Juſtices, and xij.d. to the clerke, and for the inrolment of euerie ſuch writing indented before them, wherin the land compriſed ex-cede the ſumme of xl.s. yerely value v.s. that is to ſay, ij.s.vi.d. to the ſaid Juſtices, and ij.s.vi.d. to the ſaid clerke for the inrol-ing of the ſame. And that the clerke of the peace for the time being, within euerie ſuch countie, ſhall ſufficiently inrolle & engroſſe in parchment the ſame deedes or writinges indented, as is aforeſaid, & the rolles there-of at the ende of euery yere ſhal deliuer vnto the Cuſtos Rotulorum of the ſame countie for the time being, there to remaine in the cuſtodie of the ſaide cuſtos Rotulorum for the time being, amongſt other recordes of euerie of the ſame counties, where any ſuch inrolmentes ſhall be ſo made, to the intent that euerie party that hath to do therewith may reſorte & ſee the effect & tenour of eue-ry ſuch writinge ſo enrolled.

Prouided alwaies that this acte nor a-ny thing therin contained, extēd not to any maner lādes, tenemētes, or hereditamētes, lying or being within any Citie, borough, or towne corporate within this Realme, wherein the Maiors, recorders, chamber-lains, bailifes, or other offic̄ or officers haue

authe-

audthoꝛity oꝛ haue lawfully vſed, to enroll any euidences, dedes, oꝛ other writinge within their pꝛecincte oꝛ limitts, any thin in this act conteined, to the contrary not withſtandinge.‡ See after a ſtatute mad 34.H.8.cap. 22. touchinge dedes enrolle in ſuch Cities. &c.‡

¶Partition

¶An act concerninge iointenants and tenants in common, Añ 31.H.8.cap.1. partitiõ 3.

FOꝛaſmuch as by the comm lawes of this Realme, diue of the kinges ſubiects, bein ſeiſed of manoꝛs, lãdes, te ments and hereditaments, iointenants, oꝛ as tenants common, with other of any eſtate of inhe tance, in their owne rights, oꝛ in the ri of their wiues, by purchaſe, diſcẽt, oꝛ otl wiſe, and euery of them ſo being iointen oꝛ tenants in common, haue like right, ti interest, oꝛ poſſeſſion in the ſame mane lands, tenements, and hereditaments, their parts and poꝛtions iointly oꝛ in c mon vndeuidedly together with other, none of them by the law doth oꝛ may kn their ſeueral partes oꝛ poꝛcions in the ſ oꝛ that that is his oꝛ theirs by it ſelfe v

ided: and cannot by the lawes of this re=
lme otherwiſe occupie or take the profites
f the ſame, or make any ſeuerance, deuiſion,
partition thereof, without other of their
utuall aſſentes and conſentes: by reaſon
hereof diuers and many of them, being ſo
intly and vndeuidedly ſeiſed of the ſayde
anours, landes, tenementes, and heredita=
entes, oftentimes of their peruers coue=
as and malicious mindes and willes, a=
inſt all right, iuſtice, equitie, and good cō=
ience, by ſtrength and power, haue not on=
cut and fellen downe all the woodes and
ees growing vpon the ſame, but alſo haue
tirped ſubuerted pulled down, and diſtroi-
al the houſes, edifications, & buyldinges,
adowes, paſtures, commons, & the whole
mmodities of the ſame, and haue taken &
uerted them to their owne vſes, and
hones, to the open wronge and diſheri=
, and againſt the mindes and willes of
her, holding the ſame manours, landes, te=
mentes, and hereditaments, iointly or in
mmon with them, and they haue bene al=
ies without aſſured remedy for the ſame.
e it therefore enacted by the king our moſt
ad ſoueraigne lord, and by thaſſent of the
des ſpirituall and temporall, and by the
mmons in this preſent parliament aſſem=
d, that all iointenantes, and tenantes in
mmon that nowe be, or hereafter ſhall bee,
any eſtate or eſtates of enheritaunce, in
ir owne rightes, or in the right of their
wiues

wiues,of any manours,landes,tenementes or hereditamentes,with in this Realme o England,wales, or the marches of ye ſam ſhall and may bee coacted and compelled b vertue of this preſent acte, to make partici on betwene thē,of al ſuch manours, lands tenements,and hereditaments,as they no holde,or hereafter ſhal hold,as iointenaun or tenantes in common,by writ De particio ne facienda in that caſe to be deuiſed, in t king our ſoueraigne lordes court of chau cerie,in like maner & fourme as copercene by the common lawes of this realme, ha bene and are compelled to do,and the ſa writ to be purſued at the common law.

¶ Prouided alway and be it enacted, th euerie of the ſaid iointenantes or tenants common,and their heires,after ſuch parti on made,ſhall and may haue ayde of the ther,or of their heires, to the intent to reigne the warrauntie paramont,and to r couer for the rate,as is uſed betwene cop ceners after partition made by the order the comō lawe, any thinge in this act, co teined to the contrarye notwithſtandi

‡ See after a ſtatute made 32.H.8, cap 32.touchinge partition betwene tenants of particuler eſ= tates.

An act whereby religious houſes ar diſſolued, & their lãds are aſſured to the kinge. And how leaſes and graunts made of them ſhall take effect anno 31. H. 8. cap. 13.

Monaſteries. 11.

Where diuers and ſundry abbots
priors, abbeſſes, prioreſſes, and
other eccleſiaſticall gouerners, &
gouerneſſes, of diuers monaſte=
ries, abbathies, priores, nunries,
...eges, hoſpitals, houſes of friers, & other
...gious, and eccleſiaſtical houſes & places,
... this our ſoueraigne lord the kĩgs realm̃
... England and Wales, of their owne free
... voluntary mindes, good willes, and aſ=
...s without conſtraint coactiõ or compul=
... of any manner of perſon or perſons, ſi=
...n the iiij. day of Februarye, the xxvij yere
... he raigne of our now moſt dread ſoue=
...rne lord, by the due order and courſe of ẏ
... mon lawes of this his Realme of En=
...nd, and by their ſufficient writinges
... Recorde, under their couent and common
...ales, haue ſeuerallye geuen, graunted
... by the ſame their writinges ſeuerallye
...firmed, al their ſaid monaſteries, abba=
...s, priories, nũries, colledges, hoſpitales,
...ſes of friers, & other religious and ec-
...aſtical houſes and places, and all theyr
...s, circuits, & precinctes of ẏ ſãe, & all and
ſinguler

ſingular their manours, lordſhips, grange
meaſes, landes, tenementes, medowes, pa
tures, rentes, reuerſions, ſeruices, woode
tithes, pēſions, porcions, churches, chapel
aduowſons, patronages, annuities, righte
entries, conditions, commons, leets, court
liberties, priuiledges, and fraunchiſes, a
pertaining or in any wiſe belonging to a
ſuch monaſtery, abbathie, priory, nunry, c
ledge, hoſpital, houſe of friers, and other
ligious and eccleſiaſticall houſes and pla
or to any of them, by what ſoeuer name
corporation they or any of them were th
named or called, and of what order, haby
religiō, or other kind of quality ſoeuer th
or any of them then were reputed know
or taken. To haue and to holde all the ſa
monaſteries, abbathies, priories, nūries, c
ledges, hoſpitales, houſes of friers, & ot
religious and eccleſiaſticall houſes and p
ces, ſites, circuits, precinctes, manours, lā
tenementes, meadowes, paſtures, rentes,
uerſions, ſeruices, and al other the prem
ſes, to our ſaide ſoueraigne lorde his hei
and ſucceſſours for euer, and the ſame th
ſaide monaſteries, abbathies, priories, n
ries, colledges, hoſpitalles, houſes of fri
and other religious and eccleſiaſtical hou
and places, ſites, circuites, precinctes, m
nours, lordſhippes, graunges, meaſes, lā
tenementes, medowes, paſtures, r
tes, reuerſions, ſeruices, and other the p
miſſes, voluntarilye as is aforeſayde, h
renour

enounced, left, and forſaken, and euery of
hem hath renounced, left and forſaken. Be
t therefore enacted by the kinge our ſoue=
aigne Lord, and the lords ſpiritual & tem=
oral, and the commons in this preſent par=
ament aſſembled, & by aucthoritie of the
me, that the king our ſoueraigne lord ſhal
aue, hold, poſſede & enioy to him, his heirs
ſucceſſors for euer; all & ſinguler ſuch late
onaſteries, abbathies, priories, nūries, col=
ges, hoſpitals, houſes of friers, & other re=
gious & eccleſiaſtical houſes and places, of
hat kindes, natures, qualities, or diuerſi=
es of habites, rules, profeſſions or orders
ey or any of them were named, knowen or
lled, which ſith ÿ ſaid iiij. day of Febru=
y, the xxvij. yeare of the raigne of our ſaid
ueraigne Lord, haue bene diſſolued, ſup=
eſſed, renounced, relinquiſhed, forfayted,
euen vp, or by any other meane come to
s highnes, and by the ſame aucthoritie &
like maner ſhal haue, holde, poſſede, & en=
y all the ſites, circuites, precinctes, man=
urs, lordſhips, graunges, meaſes, landes,
nements, meadowes, paſtures, rentes, re=
rſions, ſeruices, woodes, tithes, penſions,
rcions, parſonages appropried, vicarages,
urches, chapels, aduowſons, nominatiōs,
tronages, annuities, rightes, intereſtes,
tries, conditions; ‡ Sœ 32. H. 8. ca. 34. ‡
nons, lætes, courts, liberties, priuileges,
unchiſes, and other whatſoeuer heredi=
nents, which apperteyned or belonged, to

the ſaid late monaſteries,abbathies,prioꝛie
nunries,colleges,hoſpitalls, houſes of fry
ers,& other religious oꝛ eccleſiaſtical houſe
and places,oꝛ to any of them,in as large an
ample maner and fourme,as the late abbots
prioꝛs,abbeſſes,prioꝛeſſes,and other eccleſi
aſticall gouernoꝛs and gouerneſſes, of ſuc
late monaſteries, abbathies, prioꝛies, nur
ries,colleges,hoſpitals, houſes of friers
other religious and eccleſiaſticall houſes
places, had, helde, oꝛ occupied, oꝛ of rig
ought to haue had,holdē,oꝛ occupied, in t
right of their ſaide late monaſteries, abb
thies,prioꝛies,nunries,colleges, hoſpital
houſes of friers,oꝛ other religious oꝛ eccl
ſiaſticall houſes oꝛ places, at the time of t
ſaid diſſolution, ſuppꝛeſſion,renouncing,r
linquiſhing,foꝛfaiting,gyuing vp,oꝛ by a
other maner of meane comming of the ſa
to the kinges highnes,ſithen the iiij.day
Febꝛuarie aboue ſpecified.

¶And it is further enacted by the auth
ritie aboueſaid, that not onely all the ſai
late monaſteries, abbathies, prioꝛies,nu
ries,colleges, hoſpitalls, houſes of frie
and other religious and eccleſiaſticall ho
ſes and places, ſites, circuites, pꝛecinct
mannours, loꝛdſhippes, graunges, me
ſes, landes, tenementes, meadowes, p
tures,rentes, reuerſions, ſeruices, and
other the pꝛemiſſes, foꝛthwith immedia
and pꝛeſently,but alſo al other monaſteri
abbathies, prioꝛies,nunries, colleges, h
pita

ltals,houſes of friers, and all other reli=
ious and eccleſiaſtical houſes and places,
which hereafter ſhal happen to be diſſolued,
ippreſſed,renounced,relinquiſhed, forſay=
d,geuen vp,or by any other meane come
ito the kings highnes,& alſo all the ſites,
rcuites, precinctes, manors, lordſhippes,
anges,meaſes, landes, tenementes,mea=
owes,paſtures,rentes, reuerſions, ſeruy=
s,woodes,tythes,penſions,porcions,par=
ages appropriate, vicarages, churches,
ppels,aduowſons,nominations, patro=
ges,annuities,rights,intereſts, entries,
ndicions,commons,lœtes,courtes, liber=
s,priuileges, franchiſes,and other here=
ditamentes whatſoeuer they bee, belonging
appertaining to the ſame,or any of them,
enſoeuer & as ſoone as they ſhalbe diſ=
ued,ſuppreſſed,renounced, relinquiſhed,
faited,gœuen vp, or by any other meane
e vnto the kings highnes,ſhalbe veſted,
ned,& adiudged, by aucthoritie of thys
ſent parliament,in the verie actual & real
on and poſſeſſion of the kinge our ſoue=
ne Lord, his heires and ſucceſſours for
,in the ſtate and condicion as they now
nd as though all the ſaid late monaſte=
,abbathies,priories,nunries,colledges,
itals,houſes of friers, and al other re=
us and eccleſiaſtical houſes & places,ſo
lued,ſuppreſſed,renoũced,relinquiſhed
ited,geuẽ vp,or cõe to ẏ kings highnes
aforeſaid,as alſo the ſaid monaſteries,

abbathies,priories,nunries,colledges,ho
pitals,houſes of friers,and other religio
& eccleſiaſtical houſes & places, which her
after ſhal happen to be diſſolued, ſuppreſſe
renounced,relinquiſhed,forfaited,geuen
or come vnto the kinges highnes,ſites, ci
cuites,precinctes,manors,lordſhips,gra
ges,landes,tenements, & other the prem
ſes,whatſoeuer they be,& euery of thē w
in this preſent act ſpecially & particule
rehearſed,named, and expreſſed by expr
wordes,names,titles,and faculties, an
their natures,kindes, and qualities.

¶And be it alſo enacted by thauctho
aforeſaid,that all the ſaid late monaſter
abbathies,priories,nunries, colledges,h
pitals,houſes of friers,& other religiou
eccleſiaſtical houſes & places which ben
ſolued,ſuppreſſed, renounced, relinquiſ
geuen vp,or come to the kinges highne
any maner of meanes,as is aforeſaid,an
the manors, lordſhips, granges, landes
nementes, and other the premiſſes, (ex
ſuch thereof as be comen to the kings h
by attainder or attainders of Treaſon)
al the ſaid monaſteries,abbathies,prior
nūries,colleges,hoſpitals,houſes of fr
& other religious & eccleſiaſticall houſe
places,which hereafter ſhall happen to
diſſolued,ſuppreſſed,renoūced,relinqui
forfaited,geuen vp,or come vnto the ki
highnes,& al the manors,lordſhips,grā
lands,tenemēts,medowes,paſtures, re
re

uerſions,ſeruices,woods,tithes,porcions,
nſions,parſonages appropriat,vicarages,
urches,chapels,aduowſōs,nominations,
tronages, annuities, rightes, intereſtes,
ries,cōdicions,commons,leetes, courts,
erties,priuiledges,franchiſes, and other
editaments whatſoeuer they be, belon-
ig to ẏ ſame,or to any of them(except ſuch
rof,which ſhal happē to come to ẏ kings
hnes,by attainder or attainders of trea-
)ſhalbe in the order,ſuruey,& gouernāce
our ſaid ſoueraigne Lord the kings court
Augmentacions of the reuenues of his
wne,& of the chauncellor, officers, and
niſters of the ſame. And al the fermes,iſ-
s,reuenues,& profits, comming & grow-
of the premiſſes,& of euery part thereof,
cept before excepted)ſhalbe ordered,takē
recеyued to the kinges vſe by the ſaide
aunceloŕ, myniſters, and officers of the
e Court,in ſuch and like maner & forme
the monaſteries,priories,ſites,circuites,
nors,graunges,meaſes,lands, tenemen-
,rentes,reuerſions,ſeruices, tithes,pen-
ns, porcions, aduowſons, patronages,
htes,entries,condicions,and other here-
aments, late apperteining or belonging
o the monaſteries,abbathies,priories,or
er religious houſes, late by aucthoritie
parliament ſuppreſſed, ‡ videlicet 27.H.8.
acet, but in Raſtalls collect' Monaſteries 9. ‡
e ordered,ſurueyed & gouerned. Sauing
l and euery perſon and perſons,& bodies

politike,& their heires and ſucceſſors, the heires & ſucceſſors of all & euery of th other then the ſaid late abbots, priors, beſſes, prioreſſes, and other eccleſiaſtical uernors & gouerneſſes, of the ſaid late naſteries, abbathies, priories, nũries, co ges, hoſpitals, houſes of friers, & other r gious & eccleſiaſticall houſes & places, their ſucceſſors, & the ſucceſſors of euer them, & ſuch as pretende to be founders trons, or donors of ſuch monaſteries, ab thies, priories, nunries, colledges, ho tals, houſes of friers, and other eccleſiaſt houſes and places, or of any manors, ſuages, lands, tenements, or other hered ments, belonging to the ſame, or to an them, their heires & ſucceſſors, & the he & ſucceſſors of euery ſuch founder, pat or donor: and the now abbots, priors, beſſes, prioreſſes, & other eccleſiaſtical uernors & gouerneſſes of ſuch monaſter abbathies, priories, nunries, colledges, h pitals, houſes of friers, and other religi & eccleſiaſtical houſes & places, which h after ſhal happen to be diſſolued, ſuppre renounced, relinquiſhed, forfaited, geue or come to the kinges highnes, and ſuch pretend to be founders, patrons, or don of ſuch monaſteries, abbathies, priories, ries, colleges, hoſpitales, houſes of frie other eccleſiaſticall houſes and places, any manors, meſuages, landes, tenemen or other hereditaments to the ſame be

ing,oꝛ to any of them their heires and ſuc-
ſſoꝛs,and the heires and ſucceſſoꝛs of eue-
e of them) all ſuch right,title,claime, in-
reſt,poſſeſſion,rentes charges,annuities,
aſes fermes,offices,fees, liueries, and ly-
nges,poꝛcions, penſions, coꝛodies, com-
ons,ſynodes, proxies, and other pꝛofites,
hich they oꝛ anye of them haue clayme,
ight,may, oꝛ might haue had,in oꝛ to the
emiſſes , oꝛ to any part oꝛ parcel thereof,
ſuch like maner,fourme,and condicion,to
l intentes,reſpectes, conſtructions & pur-
ſes, as if this acte had neuer ben had ne
ade(rentes ſeruices,rents ſeck,& al other
ruices and ſuites onely except.)

¶Pꝛouided alwayes and be it enacted by
e aucthoꝛitie abouesaide,that if any late
bot,pꝛioꝛ,pꝛioꝛeſſe,abbeſſe,oꝛ other eccle-
iſtical gouernoꝛ oꝛ gouerneſſe abouesaide,
ithin one yere next befoꝛe the diſſolution,
ppꝛeſſion,renouncing,relinquiſhing, foꝛ-
iting,geuing vp,oꝛ comming to the kings
ghnes,of hys late monaſterie , abbathie,
ioꝛie, nunrie,colledge, hoſpitall, houſe of
iers, oꝛ other religious oꝛ eccleſiaſticall
uſe oꝛ place, hath made any leaſe oꝛ grāt,
der his couēt oꝛ cōmon ſeal,oꝛ otherwiſe
terme of life,oꝛ foꝛ terme of yeres,of the
e, circuit,& pꝛecinct, of his ſaid late mo-
ſtery,abbathy,pꝛioꝛy,nūry,college,hoſpi-
l,houſe of friers,oꝛ other religious oꝛ ec-
eſiaſtical houſe oꝛ place,oꝛ of any part ther
,oꝛ of any manoꝛs,meſuages,grāges,lāds

tenements,parſonages appropriate,tithe
pencions,porcions,or other hereditament
which belonged or appertained to hys ſai
late monaſterie, abbathie, priorie, nunri
college,hoſpital,houſe of friers,or other r
ligious or eccleſiaſtical houſe or place,whi
manors,meſuages,graunges, landes,ten
ments,parſonages appropriat, tithes,pe
ſions,porcions,or other hereditamēts,we
not before the ſame leaſe commonly vſed
be ſet nor let to ferme, but kept & reſeru
in the manurance,tillage or occupation o
ſaid gouernour or gouerneſſe, for the mai
tenance of hoſpitalitie and good houſe k
ping: or within one yere,as is aboueſai
hath made any leaſe or graunt for terme
life,or for terme of yeres, or of any manor
meſuages,lands,tenemēts,meadowes,pa
tures,woods,parſonages appropriat,tith
penſions,porcions,churches, chappelles,
other hereditaments whatſoeuer they b
whereof,or in the which any eſtate or int
reſt for terme of life, yeare or yeares,at t
time of the makinge of any ſuch graunt
leaſe,then had his being or continuance,a
then was not determined, finiſhed,or exp
red:or wīn the time of one yere,as is abou
ſaid,hath made any leaſe or graūt for ter
of life,or for terme of yeres,of any manor
meſuages,lands,tenements,medowes,p
tures,woodes, parſonages appropriate, t
thes,penſions,porcions,churches,chapell
or other hereditamēts whatſoeuer they b
vp

pon the which leaſes & graunts,the vſual
nd olde rentes & ſeruices,accuſtomed to be
lden & reſerued by the ſpace of xx.yeres,
xt before the firſt day of this preſent par=
ment,is & be not thereupon reſerued and
lden. Or if any ſuch gouernour or gouer=
ſſe hath made any bargaine or ſale of hys
ods,within one yere,as is afore limited,
hich woods be yet growing and ſtanding:
at then all and euery ſuch leaſe, graunt,
rgaine & ſale of woode or woodes, ſhalbe
terly voide and of none effect.

And it is alſo enacted by aucthoritie a=
eſaid, that all feoffements,fines,and re=
ueries,had,made,knowledged,or ſuffred,
any gouernor or gouerneſſe,without the
nges licence vnder his great ſeale,within
e yere next before the diſſolution,renoun=
g,relinquiſhing, forfaiting, geuing vp,
comming vnto the kings highnes,of hys
de monaſterie, abbathie,priorie, nunrie,
ledge,hoſpitall, houſe of friers, or other
gious or eccleſiaſtical houſe or place, or
manors,meaſes,landes, tenementes,or
er hereditamentes,whatſoeuer they be,
ich the ſaid late Abbot, Prior, abbeſſe,
preſſe,and other eccleſiaſticall gouernour
gouerneſſe,or any of thē,or any of their
deceſſors had or helde,of the gift,graunt
onfirmation of our ſaid ſoueraigne Lord
ny of hys highnes progenitors, or of
which monaſteries,abbathies,priories,
ries,colledges, hoſpitalles , houſes of
friers,

friers, or other religions or eccleſiaſtica
houſes or places, our ſaid ſoueraigne Lor
was founder or patron, or which manor
meaſes, lands, tenements, or other hered
taments, were of the auncient or olde foun
dation or poſſeſſion of the ſaid late monaſt
ries, abbathies, priories, nunries, colledge
hoſpitals, houſes of friers, or other relig
ous or eccleſiaſtical houſes or places, ſhal
vtterly voide and of none effect.

¶And it is further enacted by the aucth
ritie aboueſaide, that if any abbot, prior
abbeſſe, prioreſſe, or other eccleſiaſticall g
uernor or gouerneſſe, of any monaſterie, a
bathie, priory, nūrie, college, hoſpital, hou
of friers, or other religious or eccleſiaſti
houſe or place, which hereafter ſhal happ
to be diſſolued, ſuppreſſed, renounced, reli
quiſhed, forfaited, geuen vp, or come to t
kings highnes, within one yere, next bef
the firſt day of thys preſent Parliamen
haue made, or hereafter do make any leaſe
graunt, vnder his couent or common ſea
or otherwiſe for terme of yeares, or lyfe
lyues, of the ſite, circuite and precinct
hys ſaid monaſterie, abbathie, priorie, nu
rie, colledge, hoſpitall, houſe of friers
other religious or eccleſiaſticall houſe
place, or of any part thereof, or any m
nors, meſuages, lands, tenements, parſo
ges appropriat, tithes, penſions, porcio
or hereditamentes belonging or apperte
ning to his ſaid monaſtery, abbathie, pri
n

nunrie, colledge, hoſpital, houſe of friers, or other religious or eccleſiaſticall houſe or place, which manours, meaſes, graunges, landes, tenements, parſonages appropriate, tithes, penſions, porcions, and other heredi=tamentes whatſoeuer they be, were not be=fore the ſame leaſe, commonly vſed to be ſet nor let to ferme, but kept and reſerued in the manurance, tillage or occupation of the ſaid gouernour or gouerneſſe, for the main=tenance of hoſpitalitie and good houſe kee=ping: or now be in the manurance, tillage, or occupation of the ſaide gouernor or go=uerneſſe, for the maintenance of hoſpitalitie good houſe keeping, or wiṫin one yere next before the firſt day of thys preſent parlia=ment, hath made, or hereafter ſhal make any leaſe or graunt for terme of life, or for terme yeres, of any manors, meaſes, landes, tene=mentes, meadowes, paſtures, woodes, par=ſonages appropriate, tithes, pencions, por=cions, churches, chapels, or other heredita=ments, whatſoeuer they be, whereof and in the which anye eſtate or intereſt for terme of lyfe, yere or yeres, at the time of the ma=king of any ſuch graunt or leaſe, then had his beeing or continuance, or hereafter ſhal haue his being or continuance, and that was not determined, finiſhed or expired, or at the time of any ſuche leaſe to bee made, ſhall not bee determined, finiſhed, or expired, or within one yeare next before the firſt daye of thys preſent Parlyament, hath made

made oꝛ hereafter ſhall make any leaſe o
graunt foꝛ terme of life, oꝛ foꝛ terme of yere
of any manoꝛs, meſuages, lands, tenements
medowes, paſtures, woodes, parſonages ap
pꝛopꝛiate, tithes, pẽſions, poꝛciõs, churches
chapels, oꝛ other hereditaments whatſoeue
they be, vpon the which leaſes & graunte
the vſual and olde rentes & fermes, accuſto
med to be yelden & reſerued by the ſpace
xx. yeres, next befoꝛe ẏ ſaid firſt day of thy
pꝛeſent parliament, is oꝛ be not, oꝛ hereaft
ſhal not be thereupon reſerued & yelden: A
yf any ſuch gouernoꝛ oꝛ gouerneſſe, of an
ſuch monaſterie, abbathie, pꝛioꝛie, nunri
colledge, hoſpitall, houſe of friers, oꝛ oth
religious oꝛ eccleſiaſticall houſe oꝛ plac
which hereafter ſhal happen to be diſſolue
ſuppꝛeſſed, renoũced, relinquiſhed, foꝛfait
geuen vp, oꝛ come to the kinges highnes,
in one yere, next befoꝛe the firſt day of th
pꝛeſent parliament, hath made, oꝛ hereaft
ſhal make any bargain oꝛ ſale of his wood
which woods be yet growing and ſtandin
that then al & euery ſuch leaſe, graunt, ba
gaine, & ſale of wood oꝛ woodes, ſhalbe v
terly voide and of none effect.

¶ And it is alſo enacted by thaucthoꝛi
afoꝛeſaide, that all feoffements, fines, & r
coueries, had, made, knowledged oꝛ ſuffer
within one yere next befoꝛe the firſt day
this pꝛeſẽt parliamẽt, oꝛ hereafter to be h
made, knowledged oꝛ ſuffred, by any gou
nour oꝛ gouerneſſe, of any monaſterie, ab

th

ſie,priorie,nunry,colledge, hoſpital,houſe friers,or other religions or eccleſiaſticall uſe or place,which hereafter ſhal happen be diſſolued,ſuppreſſed,renounced,relyn= iſhed,forfaited,geuen vp or come to the ngs highnes, without the kinges licence der his great ſeale, of any manors, mea= s,lands,tenements,or other hereditamēts hatſoeuer they be,which the ſaid abbots, iors,abbeſſes,prioreſſes,and other eccleſi= icall gouernors and gouerneſſes,whiche reafter ſhall happen to be diſſolued, ſup= eſſed,relinquiſhed,forfaited,geuen vp or me vnto the kings highneſſe,as is afore= id,or any of them, or any of their prede= ſſours had or helde, or haue and holde of e gift,graunt,or confirmation of our ſaid ueraigne Lord,or of any of his highnes ogenitors, or of the which monaſteries, bathies,priories, nunries,colledges,hoſ= tals,houſes of friers,or other religious & cleſiaſtical houſes and places, our ſayde ueraigne Lord is founder or patron, or hich manors,meaſes,landes,tenementes, other hereditamentes, were or be of the ncient or olde foundation or poſſeſſion of e ſaid monaſteries,abbathies,priories,nū es,colleges,hoſpitales,houſes of friers,or her religious or eccleſiaſticall houſes or aces,ſhall bee vtterlye voyde and of none ect.

¶Prouided alway, and be it enacted by ethoritie abouefaide, that if any abbot, prior,

prioꝛ, abbes, oꝛ prioꝛes, oꝛ other gouernoꝛ oꝛ gouerneſſe abouesaide, within one yeare next befoꝛe the firſt day of this preſẽt parliament, oꝛ if any late abbot, prioꝛ, abbeſſe, prioꝛeſſe, oꝛ other late gouernoꝛ oꝛ gouerneſſe abouesaid, wͭin one yere next befoꝛe any ſuch diſſolution, ſuppꝛeſſion, renoũcing, relinquiſhing, foꝛfaiting, geuĩg vp, oꝛ cõming to the kings highnes of the pꝛemiſſes, oꝛ of any parcel therof, as is afoꝛeſaid, haue made any demiſe, leaſe oꝛ graunt, to any perſon oꝛ perſons, foꝛ terme of yeres, of any manoꝛs, meaſes, lands, tenemẽts, parſonages appꝛopꝛiat, tithes, pẽſions, poꝛcions, oꝛ other hereditaments afoꝛeſaid, which perſon oꝛ perſons at the time of the ſaid demiſe, leaſe, oꝛ graunt, had & held ye ſame to ferme foꝛ terme of yeres then not expired: yt then ye ſaid perſon oꝛ perſons to whõ any ſuch demiſe, leas oꝛ graũt hath ben ſo made, ſhal haue & hold the ſame foꝛ the terme of xxi. yeres only, from the time of the making of ye ſaid demiſe, leas oꝛ graunt, if ſo many yeres be by ye ſame demiſe, leas, oꝛ graunt, ſpecified, limited, & expꝛeſſed, oꝛ els foꝛ ſo many yeares as in ſuch demiſe, leas, oꝛ graũt ben expꝛeſſed, ſo yt the old rent be thereupon reſerued, & ſo that the ſame leaſe oꝛ leaſes excæde not xxi. yeres, this act oꝛ any thing therin conteined to the contrarie notwithſtanding. ‡ See Plow. Com. fo. 106. and after Pulmerſton & Stewardes caſe.

¶ Pꝛouided alſo, & be it enacted by thauthoꝛitie abouesaid, that if any abbot, pꝛioꝛ

ab-

ıbbeſſe, prioreſſe, or other late gouernor or
ouernes, wᵗin one yere next before any ſuch
iſſolution, ſuppreſſion, denouncing, relin-
uiſhing, forfaiting, geuīg vp or cōming vn
o the kings highnes, of ẏ premiſſes, or of a-
y parcel therof, as is aforeſaid, haue made
ny demiſe, leas or graunt, to any perſon or
erſōs, for terme of life or liues, of any ma-
ors, meaſes, landes, tenements, parſonages
ppropriat, tithes, pēſions, porciōs, or other
ereditamēts aforeſaid, which perſon or p-
ns, or any of thē, at the time of ẏ ſaid de-
iſe, leaſe or graūt, had & held the ſame for
rme of life or liues, or for terme of yeres
en not expired: ẏ then the ſaid perſon or
rſōs, to whō any ſuch leaſe or graūt hath
ſo made, ſhal haue & hold ẏ ſame for term
their life or liues, ſo ẏ the old rēt be there
on reſerued. This act or any other thing
erin contained to ẏ contrary therof notw-
nding. Prouided alſo & be it enacted by
e aucthoritie aforeſaid, that all & ſinguler
ſes & grāts made by copie, to any perſon
perſons, of any of ẏ ſaid meſuages, lāds,
nemēts, parſonages appropriat, tithes, pē-
ns, porcions, or other hereditamēts afore
id, for terme of life or liues, which by the
ſtome of the countrey hath ben vſed to be
miſed, letten, or grāted by copy of court
ll, ſhalbe good & effectual in ẏ law, ſo ẏ the
rēt be reſerued, by & vpō euery ſuch leas
eaſes: this act or any thing therin cōtay-
d to ẏ cōtrary in any wiſe notwſtanding.

¶ Pro-

¶Prouided alway, and be it further ena
ted by thaucthority aforſaide, that all leaſ
heretofore made, of any yͤ premiſſes, by au
thority of our ſoueraigne lord yͤ kings co
of Augmentacions of the reuenues of h
crowne, & al ſuch leaſes, feoffements & w
ſales, made by the ſaid gouernors & gou
neſſes, or any of them, vnder their cou
ſeales, or vnder the couent or cōmon ſeal
any of thē, wͭin one yere next before yͤ diſ
lution, ſuppreſſiō, renoūcing, relinquiſhi
forfaiting, geuing vp or cōming to yͤ kin
highnes, of the ſaid monaſteries, abbathi
priories, nūries, colleges, hoſpitals, hou
of friers, or other religious and eccleſiaſti
houſes or places, which ſaid leaſes, graū
feffements, & wood ſales haue ben examin
enrolled, decreed, or affirmed, in our ſaid
ueraigne Lord the kings Court of augm
taciōs, & the decree of yͤ ſame put in writi
ſealed with yͤ ſeal of the ſaid court of au
mētacions, ſhalbe good & effectual, accordi
to yͤ ſame decree: any clauſe or act heretof
in this preſent act, to yͤ cōtrary notwͭſtādi
Prouided alway & be it alſo further en
ted by the aucthority abouesaid, that if a
perſon or perſons haue iuſtly & truely wͭ
fraud or couin, paied or geuen any ſūme
ſummes of money to any yͤ ſaid late gou
nors or gouerneſſes, for the bargain & ſal
any woods, being & growing in or vpon
manors, lands, tenements, or hereditam
which appertained or belōged to yͤ ſaid l
mona

monaſteries, abbathies, priories, nūries, col-
edges, hoſpitals, houſes of friers, or other
eligious or eccleſiaſtical places, or vnto any
f thē, which bargain & ſale, by auchority of
his act, is made voide & of none effect, & by
eane thereof, ye kings highnes may haue &
ke the commoditye and profite of ſuche
oodes, ſo bargained and ſold: that thē the
hauncellour and other officers of our ſaid
ueraigne lorde the kinges courte of Aug-
ent ations, or three of them, whereof the
hauncellor for the time being ſhal be one,
our ſaid ſoueraigne Lord the kings trea-
ur, remaining in the Treaſorie of ye ſame
urt, ſhal ſatiſfie & recompence euerie ſuch
rſon and perſons, ſuch ſumme of money
other recompence, as the ſame Chauncel-
ır and officers, or three of them, whereof
e ſaid chauncellour ſhalbe one, ſhal thinke
ete and conuenient. And if any other per-
n or perſons, ſhall happen to take profite
d commoditie, by reaſon of auoiding of
h woode ſales by aucthoritie of this acte,
t then euery perſon and perſons which
y or ſhal take ſuch profite, ſhal be ordered
ſatiſfactiō to be made to the parties, that
ll happen to be greued by this acte, by
ſaid chauncellour and other the officers
he ſame court.

Prouided alſo, and be it further enacted
he auctority aboueſaid, that al and euery
ſon and perſons their heires and aſ-
es, which ſithen the ſaid iiij. day of Fe-

bꝛuarie,by licence,pardon . confirmation,re-
leaſe,aſſent,oꝛ conſent of our ſaid ſoueraign
loꝛd the king,vnder his great ſeale hereto-
foꝛe geuen had oꝛ made , oꝛ hereafter to bee
had oꝛ made,haue obtained oꝛ purchaſed, by
indenture,fine,feoffemẽt, recouery , oꝛ other-
wiſe,of yͤ ſaid late abbots , pꝛioꝛs, abbeſſes,
pꝛioꝛeſſes,oꝛ other gouernoꝛs oꝛ gouerneſſes
of any ſuch monaſteries,abbathies,pꝛioꝛies,
nũries,colledges,hoſpitals,houſes of friers
oꝛ other religious ⁊ eccleſiaſticall houſes oꝛ
places,any monaſteries,pꝛioꝛies, colledges
hoſpitals,manours,lãds,tenements,medo
wes,paſtures,woodes,churches, chapels,p
ſonages,tithes,penſions,poꝛcions,oꝛ othe
hereditaments,ſhal haue ⁊ enioy yͤ ſame,ac
coꝛding to ſuch wꝛitings and aſſurances,a
bene therof befoꝛe yͤ firſt day of this pꝛeſen
parliament,oꝛ hereafter ſhalbe had oꝛ made

¶Sauing to all ⁊ euery pſon ⁊ perſon
⁊ bodies politike their heires ⁊ ſucceſſour
⁊ to the heires ⁊ ſucceſſours of euery of th
other thẽ yͤ ſaid late abbots,abbaſſes,pꝛioꝛ
pꝛioꝛeſſes,⁊ other gouernoꝛs ⁊ gouerneſſe
⁊ their ſucceſſours,⁊ the ſucceſſours of eu
ry of them,and ſuch as pꝛetende to be fou
ders,patrons oꝛ donours of the ſaid mona
teries,abbathies,pꝛioꝛies,nũries,colledge
hoſpitals,and other religious oꝛ eccleſiaſti
call houſes oꝛ places:oꝛ of any of them,oꝛ
any manours meſuages,landes,tenement
oꝛ other hereditamentes late belonging
the ſame,oꝛ to any of them,and their heir
ſucceſſou

ſucceſſours, and the heires and ſucceſſours of euery ſuch founder, patrone or donour) al ſuch right, title, intereſt, poſſeſſiō, rents, annuities, commodities, offices, fees, liueries, and liuinges, portions, pencions, corodies, ſynodes, proxies and other profites, which they or any of them haue, ought or mought haue had, in or to any of the ſaide monaſteries, abbathies, priories, colledges, hoſpitals, manours, lāds, tenemēts, rents, ſeruices, reuerſions, tithes, penſions, portions or other hereditamentes, at anye tyme before anye ſuch purchaſe, indentures, fynes, feoffementes, recoueries, or other lawfull meane, betweene anye ſuch parties, had or made, as aboueſaid: this act or anye thinge therein contained to the contrarie notwithſtanding.

And where our ſaide ſoueraigne Lorde ...th the fourth daye of Februarie, the ſaide ...cbij. yere of the raign of our ſaid ſoueraign ...rd, hath obtained and purchaſed aſwel by ...cchaunges as by giftes, bargaines, fines, ...offementes, recoueries, deedes inrolled, & ...therwiſe of diuers and ſundrye perſones, ...anye and diuers honours, caſtelles, ma...ours, landes, tenementes, meadowes, ...ſtures, woodes, rentes, reuerſions, ...ruices, and other hereditamentes, and ...ith not onelye payde diuers and ſun...ye great ſummes of money for the ſame ...t alſo hath geuen and graunted for the ...me, vnto diuers, and ſundrye perſonnes,

diuers and ſundry manours, landes, tene=
mentes, and hereditamentes, and other re=
compences, in and for full ſatiſfaction of al
ſuch honours, caſtels, manours, landes, te=
nementes, rentes, reuerſions, ſeruices, and
other his hereditamentes, by his highneſſe
obtained or had, as is aboueſaid: Be it ther=
fore enacted by the auchoritie aboueſayde,
that our ſaide ſoueraigne Lord the king, his
heires and ſucceſſors, ſhall haue, holde, poſ=
ſede and enioy, al ſuch honours, caſtels, ma=
nours, lands, tenementes, and other here=
ditamentes, as his highnes ſith the ſaid iiij.
day of Februarie, the xxvij. yere aboueſaid,
hath obtained and had by way of exchange,
bargaine, purchaſe, or other what ſoeuer
meane or meanes, according to ẏ true mea=
ning & intent of his highnes bargaine, ex=
chãge or purchaſe, miſrecital, miſnaming, or
nõ recital, or not naming of ẏ ſaid honours
caſtels, manours, landes, tenementes, and
other hereditaments, compriſed, or mentio
ned in the bargaines or writings, made be
twene the kinges highneſſe and any othe
partie or parties, or of the townes or coun
ties, where the ſaide honours, caſtels, ma
nours, landes, tenements, & hereditamente
lye and bene, or any other matter or cau
whatſoeuer it be in any wiſe notwithſtan
ding.

¶ Sauing to all and euerie perſon, an
perſons, and to their heires, bodies politi
and corporate, and to their ſucceſſours, an

to euerie of them (other then ſuch perſon & perſonnes, & their heires, and their wiues, and the wiues of euerie of them, bodies politike and corporate, and their ſucceſſoures and euerie of them, of whō the kinges highnes hath obtained, by exchange, gifte, bargaine, fine, feoffement, recouerie, dede enrolled or otherwiſe, any ſuch honours, caſtels, manours, landes, tenementes, and other hereditamentes, as is aforeſaid) al ſuch right, title, vſe, intereſt, poſſeſſion, rentes charges, annuities, cōmodities, fees, and other profites, (rentes ſeruices, and rentes ſecks only except,) which they or any of them haue, might or ought to haue had, in or to the premiſes ſo obtayned and had, or in or to anye parcell therof, if this act had neuer bene had nor made, this preſēt act or any thing therin contayned to the contrarie notwithſtanding.

¶And where it hath pleaſed the kinges highnes of his moſt aboūdant grace & goodnes, aſwell vpon diuers and ſundry cōſiderations his maieſtie ſpecially mouing, as alſo otherwiſe to haue bargained, ſold, chaūged, or geuen and graunted by his graces ſeueral letters patentes, indētures, or other writinges, aſwell vnder his highnes great ſeale, as vnder the ſeale of his highnes Duchie of Lancaſter, and the ſeale of the office of the augmentations of his crowne, vnto diuers and ſundrie of his louing and obedient ſubiectes, diuers and ſundry honoures,

caſtels,manours, monaſteries , abbathies,
priories,landes,tenementes,rentes,reuerſi-
ons,ſeruices , pſonages appropriated, ad=
uowſons, liberties,tithes,oblations,porci-
ons,pēcions,fraunchiſes,priuiledges,liber=
ties,and other hereditaments , cōmodities
and profites , in fee ſimple , fee talle , for
terme of life,or for terme of yeres. For a=
uoiding of which ſaid letters patentes,and
of the contentes of the ſame, diuers ſundry
and manie ambiguities,doubts,and queſti=
ons,might hereafter ariſe,be moued, & ſtir=
red,aſwell for miſrecital or nonrecitall . as
for diuers other matters, thinges, or cauſes
to be alledged,obiected , or inuented againſt
the ſaid letters patents,as alſo for lacke of
finding of offices or inquiſitions, whereby
ẏ title of his highnes therin ought to haue
bene found,before the makinge of the ſame
letters patents,or for miſrecital,or non re=
citall of leaſes,alſwell of recorde as not of
record, or for lacke of the certainetie of the
values,or by reaſō of miſnaming of the ho=
nours,caſtels,manours, monaſteries,abba=
thies,priories,lands, tenements, and other
hereditaments , compriſed and mentioned
within the ſame letters patentes , or of the
townes and counties , where the ſame ho=
nours , caſtelles , manours, monaſteries
abbathies,priories,landes tenements,rēts
and other hereditamentes, lyen and bene
as for diuers and ſundrie other ſuggeſtions
and ſurmiſes,which hereafter might , hap

pen

pen to bee moued, ſurmiſed, and procured, againſt the ſame letters patentes, all bee it the wordes in effecte contained in the ſayde letters patentes bee according to the true intent and meaning of his moſt royall maieſtie.

¶Be it therefore enacted by the audhoritie of this preſent parliament, that as well all and euerie the ſaid letters patentes, indentures, or other writinges and euerie of them, vnder the ſeale or ſeales aboueſayde or anie of them, made or graunted by the kings highnes, ſithen the ſayde fourth day of Februarie, the ſaid xxvij. yere of his moſt noble raigne, as all and ſinguler other his graces letters patents, indentures or other writinges to be had, made or graunted to anie perſonne or perſonnes within three yere next after the making of this preſent acte, of any honours, caſtels, manours, monaſteries, abbathies, priories, nūries, colleges, hoſpitalz, houſez of friers, or other religious & eccleſiaſtical houſez, or placez, ſits, circuits precincts, landes, tenementes perſonages tithes, pentions, portiōs, aduowſons, nominations and all other hereditaments, & poſſeſſions, of what kinde, nature, or qualitie ſoeuer they bee, or by what ſoeuer name or names they or anye of them bee named, knowen or reputed, ſhall ſtand and bee good, effectuall, and auaileable in the lawe of this Realme to all reſpects, purpoſes, conſtructions, & intentes,

againſt his maieſtie, his heires and ſucceſſours, without any other licence, diſpenſation or tollerance, of the kings highnes his heires and ſucceſſours, or of anye other perſon or perſons whatſoeuer they be, for anye thing or thinges contained or hereafter to be contained in any ſuch letters patents, indentures or other writings: any cauſe, cōſideration, or thing material, to the contrary in any wiſe notwithſtanding.

¶ Sauing to al and ſinguler perſons, bodies politique & corporate, their heires and ſucceſſours, and the heires and ſucceſſours, of euery of them (other thē his highnes his heires and ſucceſſours, and the ſaide gouernours and gouerneſſes & their ſucceſſours, donours, founders, and patron aforenamed and their heires and ſucceſſours, & all other perſons claiming in their rights, or to their vſe, or in the right, or to the vſe of anye of them) al ſuch right, title, claim̄, intereſt, poſſeſſion, reuerſion, remainder, offices, annuities, rent charges, and cōmons, which they or anie of them, haue, ought or mought haue had, in or to anie of the ſaid honors, caſtels, manours, monaſteries, abbathies, priories, landes, tenementes, & other hereditaments, in the ſaid letters patents made, or hereafter to be made, compriſed at any time before the making of the ſaid or ſuch letters patentes. This act or any thing therein contained to the contrarie notwithſtanding.

¶ And where diuers and ſundry abbots

rioꝛs, abbeſſes, prioꝛeſſes, and other eccle=
aſticall gouerners,& gouerneſſes , of the
ide late monaſteries, abbathies, prioꝛes,
unries,colleges, hoſpitals, houſes of fri=
s,and other religious, and eccleſiaſticall
ouſes & places, haue had,poſſeſſed, and en=
yed diuers and ſundry pſonages, appꝛo=
iated,tithes,pencions, and poꝛtions, and
ſo were acquited and diſcharged of & foꝛ
e paiment oꝛ paiments of tithes to bee
ide out oꝛ foꝛ their ſaid monaſteries, ab=
thies,prioꝛies,nũries, colledges, hoſpi=
ls,houſes of friers, & other religious &
leſiaſtical houſes and places, manours,
ſuages,landes,tenementes and heredita=
ntes: Be it therefoꝛe enacted by the auc=
ꝛitie abouesaid,that aſwel the king our
ueraigne loꝛd,his heires & ſucceſſoꝛs, as
e euery ſuch perſõ & pſons their heires &
gnes which haue oꝛ hereafter ſhall haue
monaſteries,abbathies,prioꝛies,nũries,
leges, hoſpitalz,houſez of friers,oꝛ other
leſiaſticall houſes,oꝛ places,ſites,circuits
cincts of the ſame,oꝛ of any of them , oꝛ
manors,meſuages, perſonages appꝛo=
ate,tithes,pentions,poꝛtiõs,oꝛ other he=
itaments whatſoeuer they be,which be=
ged oꝛ appertained,oꝛ which now belõg
ppertaine vnto the ſaid monaſteries, ab=
hies,prioꝛies,nunries,colledges, hoſpi-
s,houſes of friers,oꝛ other religious and
eſiaſticall houſes oꝛ places,oꝛ vnto anye
hem: ſhall haue,holde,retaine,keepe, and
enioy

enioy, aſwel the ſaid perſonages, appropri-
ate, tithes, penciōs, and porcions of the ſa
monaſteries, abbathies, priories, nunrie
colledges, hoſpitals, houſes of friers, & oth
religious and eccleſiaſticall houſes & pl
ces, ſits, circuites, precinctes, maners, me
ſes, landes, tenementes, and other heredit
mentes, what ſoeuer they bee, and euery
them, according to their eſtate and titl
diſcharged and acquited of payment of t
them, as frely and in as large and am
maner, as the ſaid late abbottes, priors, a
beſſes, prioreſſes, and other eccleſiaſtical g
uernours, and gouerneſſes, or any of th
had, helde, occupied, poſſeſſed, vſed, retain
or enioyed the ſame, or any parcell there
at the daies of their diſſolution, ſuppreſſ
renoūcing, relinquiſhing, forfaiting, giui
vp or comming to the kinges highneſſe,
ſuch monaſteries, abbathies, priories, n
ries, colledges, hoſpitals, houſes of friers
other religious or eccleſiaſtical houſes
places, or at the day of the diſſolution, ſu
preſſiō, renoūcing, relinquiſhing, geuing
or comming to the kings highneſſe of a
of them: this act or any thing therein co
tained to the contrarie notwithſtanding
§Anno 32.H.8.ca.7.§

¶Sauing to the kings highnes his hei
and ſucceſſours, all and all manner of rēt,
ſeruices, and other dueties, what ſo e
they bee, as if this acte had neuer bene
nor made.

¶A

And be it further enacted by authoritye
this preſent parliament, that ſuch of the
ide late monaſteries, abbathies, priories,
nries, colleges, hoſpitals, houſes of fri-
s, and other religious, and eccleſiaſticall
uſes & places, and all churches and chap-
s, to them or anye of them belonginge,
ich before the diſſolution, ſuppreſſion,
oũcing, relinquiſhing, forfaiting, giuing
or comming vnto the kinges highneſſe,
re exempted from the viſitation or viſi-
ions, and all other iuriſdiction of the or-
arie or ordinaries, within whoſe dio-
e they were ſituate or ſet, ſhal from hẽce-
th be within the iuriſdiction and viſi-
on of the ordinarie or ordinaries, within
ſe dioceſſe they or any of thẽ bee ſituate
ſet, or within the iuriſdiction and viſi-
on of ſuch perſon or perſons, as by the
ges highnes ſhall be limitted or appoin-
this act or any other exemption, liber-
iuriſdiction to the contrary notwith-
ding &c. ‡ A Confirmation of the duke
Northfolke his purchaſe of Sip-
ten monaſterie, and of the
lord Cobhams purchaſe
of Cobham chaun-
terie.

An acte how by the kinges graunt, landes, tenements &c. may be by will, teſtamẽt or otherwiſe diſpoſed, & concerning wardes & primer ſeiſons. 32. H. 8. Cap. 1.

VVilles. 2.

VV Here the kinges moſt ro
maieſtie, in al the time of
moſte gratious and n
raigne, hath euer bene
ciful, louing and beneuol
& moſt gracious ſoueraigne Lord vnto
ſinguler his louing & obediẽt ſubiectes,
many times paſt, hath not only ſhewed
imparted to thẽ generally, by his many
ten great and beneficial pardons hereto
by authorities of his parliamentes gra
ted, but alſo by diuerz other waies & me
many great & ample grauntes and be
nities, in ſuch wiſe as al his ſaid ſubie
bene moſt bounden, to the vttermoſt o
their powers and graces by them rece
of God, to render & giue vnto his mai
their moſt humble reuerence and obe
thankes and ſeruices, with their daily
continuall prayer to almightie God, fo
continuall preſeruation of his moſte r
eſtate, in moſt kingly honour & proſper
yet alwaies his maieſtie being replete
dowed by God, with grace, goodnes, an
berality, moſt tenderly conſidering tha

be obedient and louing ſubiectes, can not
: or exerciſe thē ſelues, according to their
ates, degrees, faculties, and qualities, or
beare thēſelues in ſuch wiſe as that they
y conueniently keepe and mainteine their
pitalities and families, nor the good edu=
ons and bringing vp of their lawful ge=
ations, which in this Realme laude bee
God, is in al partes very great and abū=
te, but that in maner of neceſſitie, as by
y experience is manifeſted and knowen,
y ſhall not be able of their proper goodes
els and other mouable ſubſtance, to diſ=
ge their debts, and after their degrees
orth & aduaunce their children & poſte=
es. Wherefore our ſaid ſoueraigne Lord
t vertuouſly conſideringe the mortalitie
is to euery perſon, at gods wil & plea=
, moſt common and vncertayne, of his
bleſſed diſpoſition and liberality, being
ing to relieue and helpe his ſayde ſub=
, in their ſaid neceſſities and debility, is
ented and pleaſed, that it be ordeined, &
ted by aucthoritie of this preſent par=
ent, in mãner & fourme as hereafter fo=
eth, that is to ſay, that all and euerye
on and perſonnes, hauing, or which
after ſhall haue, any manours, landes,
mentes, or hereditamentes, holden in
ge, or of the nature of ſocage tenure, and
hauing any manours, lands, tenemēts,
hereditamentes, holden of the kinge
ſoueraigne Lord by knightes ſeruice, or
by

by ſocage tenure in chiefe, or of the natur
ſocage tenure in chiefe, nor of any other p
ſon or perſons by knightes ſeruice, fr
the xx. day of July in the yere of our Lo
God. M. v. C. & xl. ſhall haue full and f
libertie, power, and auctoritie, to giue, d
poſe, will, and deuiſe, as wel by his laſt w
and teſtament in writing, or otherwiſe,
any acte or actes, lawfullye executed in
life, al his ſaid manours, landes, tenemen
or hereditamentes, or anye of them, at
free will and pleaſure: any law, ſtatute, o
ther thing, heretofore had, made or vſed
contrarie notwithſtanding.

¶ And that all and euery perſon and p
ſons, hauing manours, landes, tenement
hereditaments, holden of the king our ſo
raigne Lord his heires or ſucceſſours in
cage, or of the nature of ſocage tenu
chiefe, and hauing any other manours, l
tenementes, or hereditamentes, ho
of any other perſon or perſons, in ſoc
or of the nature of ſocage tenure, and no
uing anye manours, landes tenementes
hereditaments, holden of the king our ſ
raigne Lord, by knightes ſeruice, or of
other lord or perſon by like ſeruice, from
xx. day of July in the ſaid yeare of our L
God M. v. C. and fortye, ſhall haue full
free liberty, power, and authoritie, to g
will, diſpoſe, and deuiſe, as well by his
will or teſtament in writing, or other
by anye acte or actes lawfullye execute in

is life, all his ſaide manours, landes, tenementes, and hereditamentes, oꝛ any of them, his free will & pleaſure, any law, ſtatute, ſtome oꝛ other thinge, heretofoꝛe had, de oꝛ vſed to the cõtrary notwithſtãding ſauing alway and reſeruing to the kinge r ſoueraigne Loꝛde his heires and ſucceſſours, all his righte, title, and intereſt of mer ſeiſon, and reliefes, and alſo all other htes, and dueties, foꝛ tenure in ſocage, of the nature of ſocage tenure in chiefe, as etofoꝛe hath bene vſed and accuſtomed: ſame manours, landes, tenementes, oꝛ editamentes, to bee taken, had and ſued of and from, the handes of his highneſſe heires and ſucceſſours, by the perſon oꝛ ſonnes, to whom anye ſuch manours, des, tenementes, oꝛ hereditamentes, ll bee diſpoſed, willed oꝛ deuiſed in ſuch like maner and fourme, as hath bene by any heire oꝛ heires befoꝛe the making of this eſtatute.

And ſauing and reſeruing alſo, fines alienations, of ſuch manours, landes, mentes, oꝛ hereditamentes, holden of king our ſoueraigne Loꝛde, in ſocage oꝛ he nature of ſocage tenure in chiefe, reof there ſhall be any alteration of free e oꝛ inheritance made by will oꝛ otherwiſe as is afoꝛeſaid.

And it is further enacted by authoꝛi afoꝛeſayde, that all and ſinguler perand perſonnes, hauing anye manours, landes,

landes,tenementes,or hereditaments,of e
tate of inheritaunce, holden of the Kinge
highnes in chiefe by knightes ſeruice ,.or
the nature of knightes ſeruice in chiefe fro
the ſaid twentie day of July,ſhal haue fu
power & aucthority by his laſt will by wr
ting,or otherwiſe by any acte or actes law
fully executed in his life,to giue,diſpoſe,w
or aſſigne,two partes of the ſame manour
landes,tenementes, or hereditamentes,
three partes to be deuided , or els as mu
of the ſaid manours,lands, tenementes,
hereditamentes,as ſhall extende or amou
to the yerely value of two partes of ye ſa
in three partes to bee deuided in certayn
and by ſpecial diuiſions,as it may be kno
in ſeueraltie , to and for the aduauncem
of his wife,preferment of his children , a
paimēt of his debts,or otherwiſe at his
and pleaſure:any law,ſtatute,cuſtome or
ther thing,to the contrarie therof notwi
ſtanding. Sauing and reſeruing to the ki
our ſoueraigne Lord,the cuſtodie,wardſ
and primer ſeaſō,or any of them,as the c
ſhall require,of as much of the ſame man
landes,tenements,or hereditaments,as ſ
amount and extend to the ful and clere ye
ly value of the third part therof,without
ny diminutiō,dower,fraude,couine, cha
or abridgement of any of the ſame third p
or of the full profites thereof. Sauing a
and reſeruinge to the kinge our ſouerai
Lorde,all fines for alienations , of all ſ
manor

anors,landes,tenementes , and heredita=
ents, holden of the king by knightes ſer=
ice in chiefe, whereof there ſhalbe any al=
eration of freeholde or inheritance,made by
will or otherwiſe,as is aboueſaid.

¶And be it enacted by aucthoritie afore=
id, that all and ſinguler perſon & perſons
auing manors,landes, tenementes,or he=
editaments, of eſtate of inheritance,holden
f the king in chiefe by knightes ſeruice, &
auing other manors,landes,tenements,or
ereditaments,holden of the king,or of any
ther perſon or perſons by knights ſeruice,
otherwiſe, euery ſuch perſon & perſons,
om the ſaid xx.day of July,ſhal haue full
ower & aucthoritie, to geue,diſpoſe,wyll
aſſigne by his laſt will in writing,or o=
erwiſe,by any act or acts lawfully execu=
d in his life, two partes of the ſame ma=
ors,lands,tenements,or hereditamẽts,in
ree parts to be deuided, or els as much of
e ſame manors,landes,tenementes, & he=
ditaments,as ſhall extende or amount to
e yerely value of ij.partes of the ſame, in
.partes to bee deuided in certeintie,& by
ecial deuiſions, as it may bee knowen in
eraltie,to & for the aduauncement of his
ife,preferment of his children,& payment
his debtes or otherwiſe, at his will and
eaſure:any law,ſtatute,cuſtome,or other
ing to the contrary thereof notwithſtan=
ng. Sauing alway & reſeruing to ye king
r ſoueraigne Lorde,the cuſtodie, ward=

ſhip, and primer ſeiſin, or any of them, as th
caſe ſhal require, of as much of the ſame ma
nors, landes, tenementes, or other heredita
ments, as ſhall amount & extend to the ful
& clere yerely value of the third part there
of, without any maner diminution, dower
fraude, couine, charge, or ſubtraction of th
ſame third part, or of the ful profits thero
Sauing alway and reſeruing to our ſayd
ſoueraigne Lord the king, all fines for ali
nations, of al ſuch manors, lands, tenemẽt
or hereditamẽts, holdẽ of ye king by knigh
ſeruice in chiefe, whereof there ſhalbee an
alteration of frœhold or inheritance, mal
by will or otherwiſe, as is aboueſaid.

¶ Be it further enacted by the authori
tie aboueſaid, that if any perſon or perſor
holde manours, landes, tenements, or her
ditamentes onely of any other Lord or pe
ſon then of the kinge our ſayde ſoueraig
Lord by knightes ſeruice, and other land
and tenements in ſocage, or of the nature
ſocage tenure: that then euery ſuch perſ
ſhall or may gœue, diſpoſe, or aſſure by h
laſt will or otherwiſe, by any acte or act
lawfully executed in his life, two part
of the ſaide manours, landes, and ten
mentes holden by knightes ſeruice, or of
much thereof as ſhall amount to the fi
yearely value of two partes, in maner a
fourme as is aboue declared. And alſo
the landes and tenementes holden by ſ
cage, or of the nature of ſocage tenure,

t

his will and pleaſure, as is aboue written. Sauing and reſeruing to the Lorde of the landes and tenementes holden by knightes ſeruice, for his cuſtodie and wardſhippe, as much of the ſame landes and tenementes, as ſhall extende or amount to the full and clere yerely value of the thirde part of the ſame landes and tenementes holden by knightes ſeruice, wout any diminution, dower, fraud, couin, charge, or ſubtraction of any porcion of that thirde part, or of ye clere yerely value thereof, in maner & forme aforeſaid.

¶ And be it further enacted by the autho- ritie aboueſaid, that if any perſon or perſōs holde any manors, landes, tenementes, or hereditaments, onely of the king our ſoue- raigne Lord by knightes ſeruice, and not in chiefe, or holde any manours, landes, tene- mentes or hereditaments, of our ſaide ſoue- raigne Lord by knightes ſeruice, and not in chiefe, and alſo holde other manors, landes, tenementes, and other hereditaments of any other perſon or perſons by knightes ſer- uice, and alſo holde other manors, landes, tenementes, or hereditaments of any other perſon or perſons in ſocage, or of the nature of ſocage tenure: ye then al & euery ſuch pſon or perſons, ſhal & may geue, diſpoſe, wil, de- uiſe & aſſure, by his laſt wil or otherwiſe, by any act or acts lawfully done & executed in his life, two parts of the ſame manors, lāds tenements, & hereditaments, holden of our ſaid ſoueraigne Lord the king by knightes

ſeruice,& two parts of the manors,landes
tenements & hereditaments, holden of an
other perſon or perſons by knights ſeruice
or aſmuch of either of them as ſhal amoun
to the full yerely value of two parts,in ma
ner and forme as is aboue declared: & alſ
of all his lands and tenements ſo holden i
ſocage,or of the nature of ſocage tenure a
his free will and pleaſure. Sauing & reſer
uing to the kinges highnes, the cuſtodie
wardſhip of as much of the ſame manour
landes,tenements,or other hereditament
as ſhall extende and amount to the full an
clere yerely value of the thirde part of th
ſaid manors,landes,tenements,and heredi
tamẽts ſo holden of his highnes by knight
ſeruice, without any deminution, dowe
fraud,couin,charge,and ſubtraction of an
porcion of that third part,or of the ful pro
fites therof. And alſo ſauing and reſeruin
to the lordes of whom any of the ſaid man
nors,landes,tenementes,or other heredita
ments,ben holden by knightes ſeruice, f
cuſtody and wardſhip, as much of the ſam
mannors,landes, tenementes, or heredita
mentes holden of them or any of them, b
knightes ſeruice, as ſhal extende & amoun
to the full and clere yearely value of th
thirde part of the ſame,without any dim
nution,charge,fraude,couin, or ſubtractio
of any porcion of that thirde,or of the cle
yearely value of the thirde part thereof,
maner and forme aboue declared.

¶Pr

¶ Prouided alway, & it is further enacted
y the aucthoritie aforeſaid, that if that iij.
art of the manors, landes, tenementes, or
ereditaments, of any of the kings ſubiects,
hich in any of the caſes aboueſaide, ſhall
ereafter come to the kinges highnes, hys
eires or ſucceſſors, by vertue of this act, as
aboueſaide, be not, or do not amount to
e clere yearely value of the third part of
l the ſaid manors, landes, tenementes, or
ther hereditamēts, wherof the kings high=
es, is or ſhalbe intitled to haue the cuſtody
primer ſeiſin, as is aboueſaid: that then
r ſaid ſoueraigne Lord & his heires ſhal &
ay at his or their free libertie & pleaſure
ke into his or their hands & poſſeſſion, as
uch of the other two parts of the ſaid ma=
rs, lands, tenements, and other heredita=
entes, as with that of the ſame manours,
nds, tenements, or hereditaments holden,
maining in the kings hands, ſhal make vp
e clere yerely value of the full third part
the ſaid manors, lands, and tenements ſo
bee had to the kinges highnes in title of
ardſhip & primer ſeiſin, or any of them, as
e caſe ſhal require, & like benefit & aduan=
ge to be geuen to euery Lord & Lordes, of
hom any ſuch manors, lands, tenements,
hereditaments bene or ſhalbe holden by
ights ſeruice, as is aboueſaid, concerning
ly his iij. part, of or for title of wardſhip,
rouided alway, & be it further enacted by
e aucthoritie aforeſaid, that euery perſon

and perſons ſhal ſue their liueries, for poſ-
ſeſſions, reuerſiōs, or remainders, & alſo pay
reliefes & heriots, after ſuch maner & forme
as they ſhould or ought to haue done, before
the making of this act, & as if this acte had
neuer ben made. And the fines for alienati-
ons, ſhal be paied in the kings chaūcery, for
& vpon writs of entre in the poſt, to be ob-
teined in the ſame court of chaūcery, after ÿ
ſaid xx. day of July, for cōmon recoueries t
be had or ſuffered of any manors, lands, te-
nementes, or hereditamentes, holden of th
king in chiefe: in like maner & forme as i
vſed vpon alienatiōs of ſuch manors, land
tenemēts, or hereditamēts, ſo holdē in chie
by fine or feoffement.

¶Prouided alſo & be it enacted by the au
thoritie aforeſaid, that in ſuch caſes wher
fines for alienations ſhalbe paid in ÿ king
Chancerie for writs of Entre in the Poſ
as is aforeſaide: that then none other fin
ſhalbe paid in the ſame Court for any ſu
writs: any vſage or cuſtome to the contra
thereof notwithſtanding.

¶And be it further enacted by the au
thoritie aforeſaid, that where two or mo
perſōs now hold, or hereafter ſhal hold, an
manors, lands, tenemēts, or hereditament
of the king our ſoueraigne Lord by knigh
ſeruice, iointly to thē, & to the heires of o
of them, & he that hath the inheritance th
of dyeth, his heire being win age, ÿ in eue
ſuch caſe, the king ſhal haue the warde a

maria

mariage of the body of ſuch heir ſo being wͭ=
n age, the life of ÿ frœholder oꝛ frœholders
f the ſaid manoꝛs, lands, tenements oꝛ he=
editamentes ſo holden by knights ſeruice
otwithſtanding. Sauing & reſeruing to
l & euery woman & women, al & euery ſuch
ight, title & intereſt of dower, as they oꝛ a=
y of them, owe to haue, oꝛ be oꝛ ſhalbe iuſt-
y limitted to haue, claime, oꝛ demaund, of a=
y manoꝛs, landes, tenements, oꝛ heredita=
ientes, by the lawes of this realme, to be
iken oꝛ aſſigned unto them oꝛ any of them,
ut of the two parts of ÿ ſaid manoꝛs, lāds,
enements, oꝛ hereditaments ſeuered & de=
ided from the third part as is abouesaid, &
ot otherwiſe. And ſauing alſo to the king
ur ſoueraigne Loꝛd, his heires & ſucceſſoꝛs
e reuerſions of all ſuch tenants in ioynt
enure & dower, immediatly after the death
f ſuch tenants, if they ſhall happen to dye
uring the minoꝛitie of the kings wardes.

¶ An acte for the limitation of Preſcription,
Anno 32. H. 8. cap. 2.

¶ Limitation 3.

F Oꝛ aſmuch as the time of limitation ap=
pointed foꝛ ſhewing of wꝛittes of right,
and other wꝛittes of poſſeſſion and ſey=
n of mens aunceſtoꝛs oꝛ pꝛedeceſſoꝛs, oꝛ
their owne poſſeſſion oꝛ ſeiſon, by the
wes & ſtatutes of this Realme heretofoꝛe

made, limitted, & appointed ‡ viz. Merton ca.
VV. 1 ca. 39. VV. 2. ca. 2. & ca. 46. ‡ extend an
be of ſo farre & longe time paſt, that it is a
boue the remembrance of any lyuing mar
truely to trie & know the perfect certeynti
of ſuch things, as hath or ſhal come in tria
or do extende vnto the tyme and tymes ly
mitted by the ſaid lawes & ſtatutes, to th
great dāgers of men conſciences, that ha
or ſhalbee impanelled in any Jurie for th
triall of the ſame. And alſo it is a great o
caſion of much trouble, vexation, & ſuites
the kinges louing ſubiectes, at the comm
lawes of this realme, ſo yͤ no man althou
he and his aunceſtors, & thoſe whoſe eſta
he or they haue, haue bene in peaceable po
ſeſſion of a long ſeiſon, of & in lands, ten
ments, & other hereditamēts, is or can be
any ſuertie, quietnes or reſt, of & in yͤ ſam
without a good remedy and reformation
had, made, and prouided for the ſame. Be
therfore enacted by the king our ſoueraig
Lord, and the lordes ſpirituall & tempora
and the commons in this preſent parlian
aſſembled, & by the aucthoritie of the ſar
that no manner of perſon or perſons, ſh
from henceforth ſue, haue, or mainteine a
writ of right, or make any preſcription, ti
or claime, to or for any manors, lands, ten
ments, rentes, annuities, commons, per
ons, porcions, corodies, or other heredi
mentes, of the poſſeſſion of his or their an
ceſtour or predeceſſour, & declare and all

y further ſeiſin or poſſeſſiõ of his or their
nceſtor or predeceſſor, but onely of the
ſin or poſſeſſion of his aunceſtor or pre=
ceſſor which hath ben, or now is, or ſhalbe
ſed of the ſaid manors, lands, tenements,
nts, annuities, commons, penſions, porti=
s, corodies, or other hereditaments, with
three ſcore yeres next before the Teſte of
e ſame writ, or next before the ſaide pre=
iption, title, or claime, ſo hereafter to bee
d, commenced, brought, made, or had.

And bee it further enacted by the auc=
ritie abouesaid, that no maner of perſon
r perſonnes ſhall hereafter ſue, haue, or
intaine any aſſiſe of Mortdanceſter, coſi=
ge, ayel, writ ‡ of ‡ entrie upon diſſeiſine,
ne to anye of his aunceſtors or predeceſ=
s, or any other action poſſeſſary upon the
ſſeſſion of any of his aunceſtors or prede=
ſors, for any manors, landes, tenementes,
other hereditaments, of any further ſey=
e or poſſeſſion of hys or their aunceſtour
predeceſſor, but onely of the ſeiſin or poſ=
ſion of his or their aunceſtor or predeceſ=
, which was, or hereafter ſhalbe ſeaſed of
e ſame manors, lands, tenements, or other
editaments, within fifty yeres next be=
e the Teſte of the originall of the ſame
it hereafter to be brought.

And be it further enacted by the auc=
ritie aforeſaid, that no perſon nor perſõs
l hereafter ſue, haue, or maintein any ac=
n, for any manors, lãds, tenemẽts, or other
heredi=

hereditaments, of or vpon his or their ow[n] ſeiſon or poſſeſſion therein, aboue xxx. ye[res] next before the Teſte of the original of [the] ſame Writ hereafter to be brought.

¶ And be it alſo enacted by the auctori[tie] aforeſaid, that no perſō or perſons ſhal he[re]after make any auowrie or recogniſance [of] any rent, ſuit, or ſeruice, & alleage any ſei[ſin] of any rent, ſuit or ſeruice in ye ſame auo[w]rie or recogniſance, in the poſſeſſion of [him] or their aunceſtors or predeceſſor, or pre[de]ceſſors, or in his owne poſſeſſion, or in [the] poſſeſſion of any other whoſe eſtate he ſ[hal] pretende or claime to haue, aboue xl. yea[res] next before the making of the ſaid auow[rie] or cogniſance.

¶ And ouer that, be it enacted by the a[uc]thoritie aforeſaid, that all formedons in [re]uerter, formedons in remainder, & Scire fa[cias] vpon fines of any manors, lāds, tenemen[ts], or other hereditamēts, at any time herea[fter] to be ſued, ſhalbe ſued & taken within fi[fty] yeres, next after ye title & cauſe of actiō fa[llen], & at no time after the ſaid fifty yeres pa[ſt].

¶ And be it alſo enacted by auctoriti[e a]foreſaid, that if any perſon or perſōs at [any] time hereafter, do ſue any of the ſaid a[cti]ons or writs, for any manors, landes, te[ne]ments, or other hereditaments, or make [any] auowrie, cogniſance, preſcription, title [or] claime, of, or for any rent, ſuite, ſeruic[e or] other hereditamentes, & cannot proue [that] he or they, or his or their aunceſtors or [pre]deceſſ[ors],

ſtoꝛs, were in actuall poſſeſſion oꝛ ſeiſin
in the ſame manoꝛs, lands, tenements,
s, ſuites, ſeruices, annuities, commons,
cions, poꝛcions, coꝛodies, oꝛ other here=
ments, at any time oꝛ times within the
es befoꝛe limited & appointed in thys
ent act, & in maner & foꝛme as is afoꝛe=
, if the ſame be trauerſed oꝛ denied by ẏ
y plaintif, demandāt, oꝛ auowāt, oꝛ by
party tenant oꝛ defendāt: ẏ then & after
trial therin had, all & euery ſuch perſon
rſons, & their heires, ſhal frō thēcefoꝛth
tterly barred foꝛ euer, of all & euery the
wꝛitts, actions, auowꝛies, cogniſance,
cription, title, and claime hereafter to be
, had, oꝛ made, of & foꝛ the ſame manoꝛs,
s, tenements, oꝛ hereditamēts, oꝛ other
emiſſes, oꝛ any part of the ſame, foꝛ the
ch the ſāe action, wꝛit, auowꝛy, coniſās
criptiō, title oꝛ claime, hereafter ſhalbe,
y time had, ſued, oꝛ made ‡ &c. Certain
uiſons foꝛ thoſe & their heires who had
ons &c. depending oꝛ were then wͭin age,
rt baron, in pꝛiſon, oꝛ out of ẏ realme.
Pꝛouided furthermoꝛe, that if any falſe
it happen hereafter to be geuen oꝛ made
y of the ſaid actions, ſuites, auowꝛies,
criptions, titles, oꝛ claimes: that then
party greeued by reaſon of the ſame, ſhal
may haue his attaint vpon euery ſuch
dict geuen oꝛ made, and the plaintyfe
e ſame attaint vpon iudgement foꝛ him
en, ſhall haue his recouerie, execution
and

and other aduantage in like maner & for
as heretofore hath bene vſed & accuſtom
any thing before in this act conteyned to
contrarie notwithſtanding.

¶An acte for contentacion of debtes vpon executions. Anno 32.H.8.cap.5.

Executions 10.

WHereas before this time div
& ſundry perſons haue ſued
cutions, aſwel vpon iudgem
for them geuen of their del
or damages, as vpon ſuch
tutes Marchants, ſtatutes of the Sta
or recogniſances, as haue ben to them be
made, recogniſed, & knowledged, & there
pon ſuch landes, tenementes, and other
reditamentes, as were lyable to the ſ
execution, haue bene by reaſonable ex
to them deliuered in execution for the ſa
faction of their ſaide debtes and damag
accordinge to the lawes of thys Real
Neuertheleſſe, it hath bene often ty
ſeene, that ſuch landes, tenementes,
hereditamentes ſo deliuered and had in
cution, haue bene recouered or lawfully
ueſted, takē away or euicted from the
ſeſſion of the ſayde recouerers, oblyg
or recogniſees, theyr executors or aſſig
before ſuch time as they haue bene f
ſatiſfied and payed of theyr debtes and
mages, without any maner fraud, diſc
couin, colluſion, or other default in the

r

r ouerers,obligees,oꝛ recogniſees,their ex=
e tours,& aſſignes, by reaſon wherof ẏ ſaid
r ouerers,obligees,& recogniſees haue ben
t reby ſet clerely without remedy, by any
a ner ſuit of the law,to recouer oꝛ come by
a ſuch part oꝛ parcel of their ſaid debts &
a iages, as was behind,& not by them le=
a oꝛ receyued,befoꝛe ſuch time as the ſaid
ds,tenements,& other hereditaments,ſo
hē had in execution,were recouered law
y deueſted,taken oꝛ euicted out of & from
r poſſeſſiōs,as is afoꝛſaid,to their great
t & loſſe,and much ſeeming to be againſt
al iuſtice and good conſcience. Foꝛ refoꝛ=
ion whereof be it enacted by auctoꝛitie
his pꝛeſent parliament, that if hereafter
ſuch lands,tenements,oꝛ hereditamēts
e oꝛ ſhalbe had & deliuered to any perſon
erſons in executiō as is afoꝛeſaid,vpon
iuſt & lawfull title,matter,condicion oꝛ
e,where withal the ſaid lādes,tenemēts
reditaments were lyable tied & bound,
ich time as they were deliuered & taken
execution ſhal happen to be recouered,
fully deueſted,taken, oꝛ euicted out of &
the poſſeſſion of any ſuch perſon & per=
s as now haue & hold,oꝛ hereafter ſhall
& hold ẏ ſame in execution as is afoꝛe=
,wͭout any fraud,diſceit,couin,colluſion
ther defaut of ẏ ſaid tenāt oꝛ tenants by
ution befoꝛe ſuch time as ẏ ſaid tenants
xecution their executoꝛs oꝛ aſſignes ſhal
fully & wholy leuied oꝛ receiued ẏ ſaid

whole

whole debt & damages,for ye which the
lands,tenemēts,& other hereditamēts w
deliuered & takē in execution,as is aforſ
then euery ſuch recouerer, obligee, & rec
niſee,ſhall & may haue and purſue a wri
Scire facias out of the ſame court,frō whe
the ſaid former writ of execution did p
ceede,againſt ſuch perſō or perſōs, as ye
writ of execution was firſt purſued, th
heires,executors,or aſſignes, of ſuch lan
tenements or hereditaments,as were or
thē liable or charged to ye ſaid execution
turnable into ye ſame court,at a certain
being ful xl.dayes after the date of the ſ
writ. At which day if the defendant be
lawfully warned make default, or appe
& do not ſhew & plead a ſufficient matte
cauſe,other then the acceptance of the
landes,tenements, & hereditaments,by
ſaid former writ of executiō,to barre,a
or diſcharge the ſaid ſuit for the reſidue
ſaid debt & damages,remaining vnleuie
vnreceiued by the ſaid former executiō:
the Lord Chauncelor,or other ſuch Ju
or Juſtices,before whom ſuch writ of
facias ſhalbe returnable,ſhal make eftſon
new writ or writs out of the ſaid four
record of iudgement, ſtatute marchant,
tute ſtaple,or recogniſance,of lyke natu
effect,as the ſaid former writ of execu
was,for the leuying of the reſidue of al
debt & damage,as then ſhal appere to be
leuied,vnſatiſfied, or vnpaied of the w

ſu

ſmme oꝛ ſummes in the ſaid foꝛmer wꝛit of
ecution conteined: Any law, cuſtome, oꝛ
o er thing to the contrarie hereof hereto-
re vſed, in any wiſe notwithſtanding.

An acte for the true payment of Tythes and offringes. Anno 32.H.8.cap.7.

¶ Tythes 8.

Where diuers and many perſons inha-
biting in ſundꝛy counties & places of
this Realme, & other the kinges do-
ions, not regardinge their duities to
ighty God, & to the king our ſoueraigne
d, but in few yeres paſt moꝛe contemp-
uſly & cõmonly pꝛeſuming to offend and
inge the good & holſome lawes of thys
ilme, & gracious cõmandements of our
ſoueraign Loꝛd, then in times paſt hath
ſene oꝛ knowen, haue not letted to ſub-
& withdꝛaw the lawful & accuſtomed
s of coꝛns, hay, paſturages, & other ſoꝛt
thes & oblations cõmonly due to ẏ ow-
, pꝛopꝛietaries, & poſſeſſoꝛs of the parſo-
s, vicarages, & other eccleſiaſticall pla-
of & win the ſaid realme & dominiõs, be-
the moꝛe encouraged thereto, foꝛ ẏ that
rs of the kings ſubiects being lay per-
hauing perſonages, vicarages, & tithes
ẽ & to their heires, oꝛ to thẽ & to ẏ heirs
eir bodies lawfully begottẽ oꝛ foꝛ term
fe oꝛ yeres, cannot by the oꝛder & courſe
e eccleſiaſtical lawes of this realme, ſu-
in

of any eccleſiaſticall court for the wrong
withholding & deteyning of the ſaid tit
or other duities, nor cannot by the order
the common lawes of this realme, haue
due remedy againſt any perſon or perſo
their heirs or aſſignes, that wrongfully
teyneth or withholdeth the ſame: by occ
on whereof much controuerſie, ſuit, var
and diſcorde is like to inſurge and enſu
mong the kinges ſubiectes, to the great
triment, damage, and decay of many of t
if conueniēt and ſpeedy remedy therefor
not had and prouided.

¶ Wherefore it is ordeyned & enacted by
ſaid ſoueraigne Lord yͤ king, wͭ the aſſe
the lords ſpiritual & temporal, & the cōm
in this preſent parliament aſſembled, an
authoritie of the ſame, that all and ſing
perſons of this his ſaide Realme, or o
his dominions, of what eſtate, degree, or
dicion ſoeuer he or they be, ſhal fully, tr
& effectually deuide, ſet out, yeld, or pay
ſinguler tithes & offerings aforeſaid, ac
ding to the lawful cuſtomes & vſages o
pariſhes & places where ſuch tithes or
ties ſhal grow, ariſe, come, or be due. I
caſe that ‡it‡ ſhal happen any perſon or
ſons of his or their vngodly & peruerſe
& mind, to deteine or wͭhold any of yͤ ſai
thes or offrings, or part or parcel therof, t
parſō or party beīg eccleſiaſtical or lay
hauing cauſe to demād or haue yͤ ſaid ti
or offrings, being therby wrōged or gre

iall & may conuent the pſon or perſons ſo
fending before the ordinary, his cōmiſſary
other cōpetent miniſter, or lawful iudge
ẏ place where ſuch wrong ſhal bee done,
cording to the eccleſiaſtical lawes. And in
ery ſuch caſe of matter or ſuite, the ſame
dinary, commiſſarie or other cōpetent mi=
ſter or lawful iudge, hauing the parties or
eir lawfull procuratours before him or
em, ſhall and maye by vertue of this acte
oceede to the examination, hearing & de=
mination of euerye ſuch cauſe or matter
dinarily or ſummarily, according to the
urſe and proceſſe of the ſaid eccleſiaſticall
wes, and thereupon may geue ſentēce ac=
dingly. And in caſe that any of the par=
s, for any cauſe or matter cōcerning that
it, do appeale from the ſentence, order, and
finitiue iudgement of the ſaide ordinary,
other competent Iudge, as is aforeſaid:
n the ſame iudge by vertue of this acte
thwith vpon ſuch appellation made, ſhal
iudge to the other partie the reaſonable
tes of his ſuit therein before expended, &
l compel the ſame party appellant to ſa=
fie and pay the ſame coſts ſo adiudged by
npulſory proceſſe, and cenſures of the ſaid
wes eccleſiaſtical taking ſuertie of the o=
r partie to whō ſuch coſts ſhalbe adiud=
and paide, to reſtore the ſame coſtes to
partie appellant, if after the principall
ſe of that ſuit of appeale ſhalbe adiudged
inſt the ſame partie, to whom the ſayde

coſtes ſhalbe yelden. And ſo euery ordinary or other competent iudge eccleſiaſticall, by vertue of this acte ſhall adiudge coſts to the other partie vpon euerie appeale to be made in anie ſuite or cauſe of ſubtraction or detention of anie tithes or offeringes, or in anie other ſuite to bee made for or concerning the duetie of ſuch tithes or offeringes.

And further be it enacted by the authoritie aforeſaide, that if anie perſon or perſons after ſuch ſentence diffinitiue geuen against them, obſtinatelye and willinglye refuſe for to pay their tithes and duties, or ſuch ſummes of money ſo adiudged wherein they be condempned for the ſame, that then two Iuſtices of the peace of the ſame ſhire, whereof one to be of the Quorum, ſhall haue authoritie by this acte, vpon information, certificate, or complaint to them made in writing by the ſaide eccleſiaſticall Iudge that gaue the ſame ſentence, to cauſe the ſame partie ſo refuſinge, to be attached, and committed to the next gaole, there to remaine without baile or mainpriſe, till he or they ſhall haue founde ſufficient ſuerties to bee bounde by recognisance or otherwiſe before the ſame Iuſtices to the vſe of our ſoueraigne Lord the king, to perfourme the ſaide diffinitiue ſentence and iudgement.

Prouided alwaies and bee it enacted by the authoritie aforeſaide, that no perſon or perſons, ſhalbe ſued, or otherwiſe compelled

t yealde,geue oꝛ pa[illegible]e any manner of tithes, f any manoꝛs,lāds,tenements,oꝛ heredita ites which by lawes oꝛ ſtatuts of this re= ane are diſcharged,oꝛ not chargeable with t paiment of any ſuch tithes.§ Vide anno .H.8.cap.13.Monaſteries 11.in fine.§

¶ Pꝛouided alſo and be it enacted by auc= toꝛity afoꝛeſaide,that this acte noꝛ anye inge therein conteined, ſhal in any wiſe b de thinhabitants of the city of London uburbs of the ſame, foꝛ to paye theire thes & offerings wͭin the ſame city & ſub= bs,otherwiſe thē they ought oꝛ ſhoulde ue dōe befoꝛe ꝩ making of this act, anie inge in this act cōteined to ꝩ cōtrary not= ſtanding.And be it further enacted by au= thoꝛity afoꝛeſaid, ꝩ in al caſes where anye ſō oꝛ perſōs,which now haue oꝛ whiche reafter ſhal haue any eſtate of inheritāce hold,terme,right,oꝛ intereſt,of,in,oꝛ to perſonage,vicarage,poꝛtiō,pēciō,tithes ations,oꝛ other eccleſiaſtical oꝛ ſpiritual fit, which now be, oꝛ which hereafter l bee made tempoꝛall oꝛ admitted to be,a= e,and go to,and in tempoꝛal handes & lay s and pꝛofits by the lawe oꝛ ſtatutes of s Realme,ſhall hereafter foꝛtune to bee eiſed,defoꝛced, wꝛonged , oꝛ otherwiſe t oꝛ put frō their lawfull inheritāce eſ= ,ſeiſen,poſſeſſiō,occupatiōs,term,right ntereſt,of oꝛ to the ſame,oꝛ of,in, oꝛ to parcel thereof, by any other perſonne erſonns,claiminge oꝛ pꝛetendinge to

haue intereſt or title in or to the ſame, the
then in all and euery ſuch caſe or caſes th
perſon or perſonnes ſo diſſeiſed, deforced o
wrongfullye kept or put from his or they
right or poſſeſſiō, as is afore rehearſed, the
heires, wiues, and ſuch other, to whom ſu
iniury or wrong ſhal be done or committ
ſhal & may haue their remedie in the king
temporall courtes or other temporal cour
as the caſe ſhal require, for the recouery ge
ting or obtaining of ſuch inheritaunce, eſt
freehold, ſeiſon, poſſeſſion, terme, right,
intereſt, by writes original, of Precipe qu
reddat, Aſſ. of nouel diſſeiſin, Mort daun
Quod ei deforceat, writes of dower, or oth
writes originall, as the caſe ſhall require,
be deuiſed and graunted in the kinges cou
of Chauncery, of euery ſuch perſonage, v
carage, portion, penſion, or other profite ca
led eccleſiaſticall or ſpirituall, ſo to bee d
maunded according to the nature and cau
of the ſuit thereof, in like maner and form
as they ſhould, ought, or might haue had,
or for landes, tenementes, or other here
tamentes, in ſuch manner to be demaund
And that wrytes of couenaunt and oth
writes for fines to be leuied, and al other
ſurances to be had made or conueied of e
ſuch perſonage, vicarage, portiō, penſion
other profite called eccleſiaſtical or ſpirit
as is aforeſaid, ſhall bee hereafter deuiſe
graunted in the ſaid Chauncerie, accord
as hath bene vſed for fines, to be leuied,
aſſura

ſurance to be had made or conuaied of lãds
nementes,or other hereditamentes. And
at all iudgements to be geuen vpon any of
e ſaide writes originall ſo to be deuiſed
granted of or for any the premiſſes or a=
of them: and all fines to bee leuied and
nowledged in any of the kings ſaid courts
ereof, ſhal be of like force and effecte in the
w, to all intentes and purpoſes, as iudge=
entes geuen and fines leuied of landes, te=
mentes, and hereditamentes in the ſame
urtes vppon writes originall therefore
ely purſued and proſecuted, albeit no ſuch
urme of writes originall out of the ſayde
urt of Chauncerie haue heretofore procee=
d or bene awarded,

¶Prouided alwaies, that this laſte acte
all not extende nor bee expounded, to giue
ye remedye cauſe of action or ſuite in the
urtes temporal, againſt any perſon or per=
ſones, which ſhall refuſe or deny to ſet out
or their tithes, or which ſhall detayne,
thhold, or refuſe, to paye his tythes, and
ringes, or any parcell thereof, but that in
ſuch caſes the perſon or partie being ec=
ſiaſticall or laye perſon, hauing cauſe to
maunde or to haue the ſaide tithes, or of=
nges and therebp wronged or greued,
ll take and haue their remedye for theyr
tithes and offeringes, in euery ſuch caſe
the ſpirituall courtes, according to the
dinaunce in the firſt part of this act men=
ned, and not otherwiſe. Anye thinge

herein expreſſed to the contrary thereof n
withſtanding.

¶ An acte againſt maintenaunce, embracery, &
and againſt vnlawful buying of titles,
An. 32. H. 8. cap. 9.

¶ Maintenance. 7.

Cont auts estat ga [illegible] maintenance on champ[illegible] [illegible] tant Et [illegible] [illegible] pur abondanci [illegible] medlinge en auters matters [illegible] 6. E. 7. E. 6. fol. Co. 83

The King our ſoueraigne Lord
ling to his moſte bleſſed rem
brance, that there is nothing
this Realme that conſerueth
louing ſubiectes in more quietnes, reſt, pe
and good concord, then the due and iuſt
niſtration of his lawes, and the true and
different tryals, of ſuch titles and iſſues
bene to be tryed, according to the lawe
this Realme, which his moſt royall ma
tie perceiueth to bee greatlye hindered
letted by maintenance, embracerie, champ
tie, ſubornation of witneſſes, ſiniſter lab
buying of titles, and pretenced rightes
perſonnes not being in poſſeſſion, wher
great periurie hath enſued, and much inq
etnes, oppreſſion, vexation, trouble, wro
ges, and diſenheritaunce hath followed
mong his moſt louing ſubiectes, to the gr
diſpleaſure of almightie God, the diſcon
tation of his maieſtie, and to the great h
derance and let of Iuſtice within this
Realme: For the auoiding of al which
demeanours and buying of titles and
te

enced rightes,⁊ to the intent that Juſtice nay be more fully and indifferently miniſ= red,and the truth in cauſes of contention lainely tried,betwene his ſubiectes of this Realme : Be it enacted by our ſaid Soue= aigne Lord, with the aſſent of the Lordes piritual and temporall, and the commons n this preſēt parliament aſſembled , and by uthoritie of the ſame,that from hēceforth ll ſtatutes heretofore made , concerninge aintenaunce,champertie , and embracerie, r anie of them , nowe ſtanding and beinge n their full ſtrength and force,ſhalbe put in ue executiō,according to the tenoures and fectes of the ſame ſtatutes.

¶And ouer that be it further enacted , by e auctoritie aforeſaid, that no perſon nor erſons,of what eſtate,degree or condition euer he or they be , ſhall from henceforth argain,buy or ſel,or by any waies or mea= es obtaine,get,or haue any pretēced rights titles,or take,promiſe,graunt , or coue= unt,to haue any right or title,of any per= n or perſons,in or to any manours, lands nementes,or hereditamentes , but if ſuch rſon or pſons,which ſhal ſo bargaine,ſel, ue,graunt,couenant,or promiſe the ſame, eir anteceſſours or they by whom hee or ey claime the ſame haue bene in poſſeſſion the ſame, or of the reuerſion or remayn= r thereof, or taken the rentes or pro= es thereof,by the ſpace of one whole yere xt before the ſayde bargaine, couenaunt,

Lou vn eſt en poſſeſſion de terre ou tenementes, et [illegible] deſſ poſſeſſion claimet [illegible] ou [illegible] eſt pretenſed droit ou title. [illegible] ou quel [illegible] in [illegible], ou quel [illegible] in verity, et ambideux [illegible] ſont [illegible] ſtatut: [illegible] abſolute ownerſhip [illegible] ſtat: [illegible] ſtat [illegible] ſont al intent [illegible] title in [illegible] : [illegible] in [illegible] ou [illegible]: Inſt: 369: a [illegible].

graunt, oꝛ pꝛomiſe made, vppon peine th
hee that ſhall make anie ſuche bargain
ſale, pꝛomiſe, couenant, oꝛ graunt, to foꝛfa
the whole value of the landes, tenement
oꝛ hereditaments ſo bargained, ſold, pꝛom
ſed, couenaunted, oꝛ graunted, contrarie
the fourme of this act. And the buyer oꝛ t
ker thereof. knowing ÿ ſame to foꝛfait al
the value of the ſaid landes, tenements,
hereditaments ſo by him bought, oꝛ take
as is abouefaide, Thone halfe of the ſa
foꝛfaitures to be to the king our ſouerai
Loꝛde, and the other halfe to the partie th
will ſue foꝛ the ſame, in anie of the kin
courts of recoꝛd, by action of dept, bil, plai
oꝛ infoꝛmation. In which actiō bill, plai
oꝛ infoꝛmatiō, no eſſoine, pꝛotection, wag
of law, noꝛ iniunction ſhall be allowed.

¶ And furthermoꝛe, that no maner of pe
ſon oꝛ perſons of what eſtate, degree, oꝛ c
dition ſoeuer he oꝛ they be, do hereafter v
lawfully mainteine oꝛ cauſe, oꝛ pꝛocure a
vnlawful maintenance, in anie action, d
maund, ſuite, oꝛ complaint, in anie of t
kinges courts of the Chauncery, the ſta
Chamber, white hall, oꝛ els where, with
any of the kings dominions of England
wales, oꝛ the marches of the ſame, wh
any perſō oꝛ perſons haue, oꝛ hereafter ſh
haue aucthoꝛitie by vertue of the kings c
miſſion, patent, oꝛ wꝛit, to hold plee of lā
oꝛ to examine, heare, oꝛ determine, anie
tle of landes, oꝛ anie matter oꝛ witneſ
conc

cõcerning the title,right, or intereſt of any
lands,tenemẽts,or hereditaments. And al=
ſo that no perſon or perſõs,of what eſtate,
degree,or condition ſoeuer he or they be, doe
hereafter vnlawfully retain for maintenãce
of any ſuit or plee,any perſon or perſonnes
or embrace any freeholders or iurours, or
ſuborne any witnes by letters, rewardes,
promiſes,or by any other ſiniſter, labour or
meanes,for to maintaine any matt̃ or cauſe
or to the diſturbance or hinderance of iuſtice
or to the procuremẽt or occaſion of any ma=
ter of periury by falſe verdict,or otherwiſe,
in any maner of courts aforeſaid,vpon peine
of forfeiture for euery ſuch offẽc̃ x.li. Thone
moity thereof vnto the king our ſoueraigne
lord,and the other moity to him that will
ſue for the ſame by action of debt,bill,plaint,
or information,in anye the kinges courtes,
in which action,no eſſoine, protection, wa=
ger of lawe nor iniunction ſhalbe allowed.
Prouided alway, & be it enacted by the
authoritie aforeſaide,that it ſhalbe lawfull
to any perſon or perſons, being in lawfull
poſſeſſion by taking of the yerely ferme,rẽts
or profites of or for any manours, landes,
tenementes,or hereditamentes, to buy,ob=
taine,get or haue,by anie reaſonable way or
meanes the pretenſed right, or title of anie
other perſõ or perſons,hereafter to be made
of or in ſuch manours,lands,tenementes,
or hereditamentes,whereof he or they ſhall
bee in lawfull poſſeſſion: any thinge in
this

this act contained to the contrary notwith
ſtanding.

¶ And for the due execution of this pre
ſent acte, be it further enacted by authorit
abouesaid, that the Juſtices of aſſiſe of eue
rie circuit within this realme & els whe
within the kinges dominions, ſhal in euer
countie within their circuits, two times i
the yere, that is to ſay, in ẏ time of their ſi
tings, for the taking of aſſiſes or deliuerie
their gaoles, cauſe open proclamation to b
made, aſwel of this preſent acte, and of eu
rie thing therin contained, as alſo of al oth
ſtatutes heretofore made, against vnlawf
maintenance, champerty, embracerie, or vn
lawfull retainours, to thentent ẏ no man
of perſon or pſons, hearing the ſame ſhou
be ignorant or miſcogniſant of the dãge
and penalties therein contained and ſpec
fied.

¶ Prouided alway, and bee it enacted
the authoritie aforeſaid, that this acte ſh
not extende to charge any perſon or perſo
with anie of the penalties mentioned in t
ſaid acte, for anie offence by him or thẽ co
mitted, contrarie to the ſaid acte, excepte t
ſame perſon or perſons ſo offending be ſu
therof by action of debt, bil, plaint, or info
mation in any of the kinges courtes with
one yere next after the ſame offence by hi
or them committed as is aforeſaid.

¶

¶ An acte that leſſees ſhall enioy their fermes againſt tenants in taile, or in the righte of their wiues, or churches &c. An. 32. H. 8. Cap. 28.

¶ Leaſes. 2.

Be it ordained, eſtabliſhed and enacted by the kinge our ſoueraigne Lorde, the Lords ſpiritual and temporall, and the cōmons in this preſent parlia-
ment aſſembled, and by authoritie of the
ame, that all leaſes hereafter to be made of
nie manours, landes, tenementes, or other
ereditamentes, by writing indented, vnder
eale, for terme of yeres, or for terme of life,
y any perſon or perſonnes being of ful age
f one and twentie yeres, hauing any eſtate
f inheritance either in fee ſimple, or in fee
ayle, in their owne right, or in the right
f their churches or wiues, or iointly with
heir wiues, of anie eſtate of inheritance
ade before the couerture or after, ſhall
e good and effectuall in the lawe, againſte
he leſſours, their wiues, heires and ſucceſ-
ours, and euery of them, according to ſuche
ſtate as is compriſed and ſpecified in eue-
ie ſuch indenture of leaſe, in like manner &
ourme as the ſame ſhould haue bene, if the
leſſours thereof, and euerie of them, at the
me of the making of ſuch leaſes had bene
lawe-

laẘfully ſeaſed of the ſame lands, tenem
and hereditaments compriſed in ſuch inden-
ture, of a good, perfect and pure eſtate of fe
ſimple thereof to their oẘne only vſes.

¶ Prouided alẘay, that this acte nor ani
thing therein contained, ſhal not extende t
anie leaſes to be made, of any manours lãde
tenementes, or hereditamentes, being i
the handes of anye fermour, or fermours
by vertue of anie olde leaſe, vnleſſe the ſam
olde leaſe be expired, ſurrendred, or ende
ẘithin one yere next after ye making of t
ſaid neẘ leaſe, nor ſhal extend to any gra
to be made of any reuerſiõ, of any manour
landes, tenementes, or hereditamentes, n
to any leaſe of any manours, landes, ten
mentes, or hereditaments, ẘhich haue n
moſt commenly bene letten to ferme, or o
cupied by the fermours thereof, by the ſpa
of xx. yeares next before ſuch leaſe there
made, nor to any leaſe to be made, ẘitho
empeachment of ẘaſte, nor to anye leaſe t
be made aboue the number of one & tẘent
yeres, or thre liues at the moſte, from t
day of making thereof. And that vpõ euer
ſuch leaſe there be reſerued yearely durin
the ſame leaſe due & paiable, to the leſſou
their heires and ſucceſſours, to ẘhome t
ſame landes ſhoulde haue commen after t
deathes of the leſſours, if no ſuche leaſe h
bene thereof made, and to ẘhom the reue
ſion thereof, ſhall appertaine, accordinge
their eſtates and intereſtes, ſo much yere
ferr

erme oꝛ rent, oꝛ moꝛe, as hath bene moſte
ccuſtomably yeldẽ oꝛ paid foꝛ the manours,
indes, tenementes, and hereditamentes, ſo
) be lettẽ within xx. yeres next befoꝛe ſuch
aſe therof made, and that euery ſuch per-
n and perſons, to whom the reuerſion of
ich manours, lands, tenements, oꝛ heredi-
ments, ſo to be letten, ſhall appertaine as
afoꝛeſaid, after the deathes of ſuch leſ-
urs oꝛ their heires, ſhal & may haue ſuch
ke remedie and auantage, to all intentes
purpoſes, againſt the leſſees thereof, their
ecutours and aſſignes, as the ſame leſſour
ould oꝛ might haue had againſte the ſame
ſees. So that if the leſſour were ſeiſed
any eſpecial eſtate taile of the ſame here-
itaments, at the time of ſuch leaſe, that the
ue oꝛ heire of that eſpecial eſtat, ſhal haue
e reuerſion, rentes and ſeruices reſerued
on ſuch leaſe, after the death of the ſayde
ſour, as ẏ leſſour himſelfe might oꝛ ought
haue had if he had liued.
¶ Pꝛouided alway that the wife bee made
rtie to euerie ſuch leaſe, which hereafter
al bee made ẏ by ẏ her huſband, of any ma-
urs, landes, tenements, oꝛ hereditaments,
ing the inheritaunce of the wyfe, and
at euerie ſuch leaſe be made by indenture
the name of the huſbande and his wyfe,
d ſhe to ſeale to the ſame. And that the
rme and rent be reſerued to the huſbande
d to the wife, and to the heires of ẏ wife
coꝛding to her eſtat of inheritaunce in the
ſame,

ſame. And that the huſband ſhal not in any wiſe alien, diſcharge, graunt or geue awaye the ſame rent reſerued, nor any part thereof longer then during the couerture, without it be by fine leuied by the ſaid huſbande and wife: But that the ſame rent ſhall remaine diſcend, reuert, or come after ye death of such huſband, vnto ſuch perſon or perſons, and their heires, in ſuch maner and ſort, as th lands ſo leaſed ſhould haue done, if no ſuch leaſe had thereof bene made.

¶ Prouided alſo that this act extend not t geue anye libertye or power to anye perſon or perſons to take any moe fermes, leaſes, o takings of any manors, lands, tenements o other hereditamentes, thē he or they ſhoul or might lawfully haue done before the ma kinge of this acte. § See the ſtatute mad 25. H.8. cap. 13. ſheepe 2. § nor extende t geue any liberty or power to any perſon o vicar, of any church or vicarage, for to mak any leaſe or graunt of any their meſuage lands, tenements, tiths, profits, or heredita mts belonging to their churches, or vicara ges, otherwiſe or in any other mãer thē the ſhoulde or might haue done before the ma kinge of this acte, any thinge conteined i this act to the contrary notwithſtanding.

¶ And furthermore be it enacted by au thoritye aforeſaid, that all leaſes at any time within the ſpace of thre yeres next b fore the xij. day of April, & in the xxxi. yea of our ſoueraign lord ye kinges raign, ma

writing indented vnder ſeale, by anie
rſon oꝛ perſons of full age, of whole me=
oꝛy, not vnlawfully coarcted, noꝛ being
uert baron, foꝛ terme of yeres, of anie ma=
urs, landes, tenementes, oꝛ other heredy=
nentes, whereof the leſſour oꝛ leſſoures,
re ſeiſed of any eſtate of inheritaunce, of
d in the ſame to their own only vſe at the
ie of making any ſuch leaſe thereof, and
hereof the leſſees their executours and aſ=
ines, be now in poſſeſſiō by vertue of the
e leaſe, and no cauſe of reentry oꝛ foꝛfai=
e therof had oꝛ made, ſhalbe good and ef=
uall in the lawe, againſte the leſſoures,
ir heires and ſucceſſours, and the heires
ſucceſſours of euerie of them, accoꝛding
he couenaunts, articles, and agreements
cified in euery ſuch indenture of leaſe.
alwaies there be reſerued & yerely pai=
, during the ſame leaſe, to the ſaid leſſoꝛs
ir heires oꝛ ſucceſſours, oꝛ to ſuch other
hould oꝛ ought to haue had ẏ ſame man=
rs, lands, tenements, oꝛ hereditamentes
aſed, after the deceaſe of ſuch leſſours,
ſe no ſuch leaſe had thereof bene made,
uch yerely rent foꝛ the ſame, as was at
time therfoꝛe yelden oꝛ paid within xx.
s next befoꝛe ẏ makīg of any ſuch leaſe,
ls ſuch leaſes to be of no other foꝛce ne
t, then they were befoꝛe the making of
pꝛeſent acte,

And moꝛeouer foꝛ certaine conſiderati=
, be it enacted by authoꝛitie afoꝛeſaide,
that

Si bar et fē sont [illegible] alyē et lour
heires [illegible] estate fait durant le coverture, [illegible] deins
l'act: si bar fist feffment de lands sa fē, et puis
bar et fē sont divorce, tiel fē aua benefit de
l'stat, car el fuit un foits fē de facto, mes
si bar levy fine ove proclamacons et mor', fē dont
enter deins v. ans, car le stat remedy
discontinuances, nemy barres: Dy: [illegible]: b.
car [illegible] ou remitt et entr' [illegible] de fact, [illegible]
[illegible] estate taile [illegible] discontinue, lour [illegible]
[illegible] discent: Inst: 326: a.

that nó fine,feoffement,oꝛ other acte oꝛ acte
hereafter to be made,ſuffered,oꝛ done,by th
huſband only,of any manours,landes,tene
mentes,oꝛ hereditamentes, being the inhe
ritaunce oꝛ freehold of his wife,during th
couerture betweene them,ſhal in any wi
be oꝛ make any diſcōtinuāce therof,oꝛ be p
iudicial oꝛ hurtful to the ſaid wife,oꝛ to h
heires oꝛ to ſuch as ſhal haue right,title,
intereſt to ẏ ſame by the death of ſuch wi
oꝛ wiues.But that ẏ ſaine wife oꝛ her hei
and ſuch other to whom ſuch right ſhall a
pertaine,after her deceaſe,ſhal and may t
lawfully enter into all ſuch manours,lād
tenements,and hereditaments,accoꝛding
their rightes,and titles therein , anye ſu
fine,feoffement oꝛ other act to the contrar
notwithſtanding,fines leuied by ẏ huſba
and wife(whereunto the ſaid wife is par
and priuy)only except.

¶Prouided furthermoꝛe,that this clau
oꝛ acte,extend not to geue any libertie to
ny ſuch wife,oꝛ to her heires, foꝛ to auoy
any leaſe hereafter to be made of any the i
heritaunce of the wife by her huſbande a
her foꝛ terme of xxi.yeares,oꝛ vnder,oꝛ an
her inheritaunce foꝛ terme of thꝛee liues
the vttermoſt,whereupon as much year
rent oꝛ moꝛe is oꝛ ſhall be reſerued, & yer
paiable during ẏ ſame leaſe,as was at a
time therfoꝛe yeldē oꝛ paied wᵗin xx. yea
next befoꝛe the making of any ſuch leaſe,
coꝛding to the tenour of this pꝛeſente a

ny thing therein conteyned to the contrary
otwithſtanding.

Prouided alſo, that this act extend not to
ake good any leaſe or leaſes, heretofore
ade, by any eccleſiaſtical perſon or perſons
their couent or common ſeale, which bee
ade void or taken away, by auctoritie of
ny act of parliament heretofore made, nor
tende to make good anye leaſe or leaſes,
retofore made by any eccleſiaſtical perſon
perſons, now being attainted of treaſon,
nder their couent ſeale or otherwiſe, or by
ny other perſon or perſons now being at=
inted of treaſon by acte of parliament or
herwiſe. But that al & ſinguler ſuch leaſe
nd leaſes, and euery of them, now made,
hereafter to be made, ſhalbe of ſuch lyke
fect & ſtrength in the law & none other, as
ey & euery of thẽ were before ÿ making of
is act: any thing before mencioned in this
t to the contrary thereof notwithſtãing.

¶An act concerning Miſpleading, Ieofayles, and attourneis. Anno 32. H. 8. cap. 30.

¶Repleader 1.

FRom henceforth if any iſſue be tried by the othe of twelue or moe indyfferent men for the partie plaintife or demandant, or for the partie of the tenaunt or defendaunt, in any maner of

action oꝛ ſuite at the common law of thys realme, in any the kings Courtes of recoꝛd: that then the Juſtice & Juſtices by whom iudgement thereof ought to be geuen, ſhall procede & geue iudgement in the ſame, any miſpleading, lack of colour, inſufficient pleding oꝛ ieofaile, any miſcontinuance oꝛ diſcontinuāce oꝛ miſconueying of pꝛoces, miſioyning of the iſſue, lack of warrant of atturney of the partie againſt whom the same iſſue ſhal happen to be tried, oꝛ any other default oꝛ negligence of any of ÿ parties, their counſailoꝛs oꝛ attoꝛneis, had oꝛ made to the contrarie notwithſtanding. And the ſayde iudgemēts thereof ſo to be had & geuen shal ſtande in full ſtrength & foꝛce, to al intents & purpoſes, accoꝛding to the ſaide verdicte without any reuerſel oꝛ vndoing of ÿ same by wꝛit of erroꝛ, oꝛ of falſe iudgemēt, in like foꝛme as though no ſuche default oꝛ negligence had neuer ben had oꝛ committed.

¶ Pꝛouided alway and bee it enacted by the aucthoꝛitie afoꝛeſaide, in auoydinge of erroꝛs and other great inconueniences, that daylie do foꝛtune to riſe and growe in the kinges Courtes of recoꝛde at Weſtminſter thꝛough the negligence of attourneis, becauſe they deliuer not their warrauntes of attourney in ſuch actions and ſuits, wherein they bee named attourney, accoꝛdinge to the lawes of this realme, that all and euery ſuch perſon and perſōs, which ſhal foꝛtune hereafter to be attourney, to oꝛ foꝛ any other

per-

erſon or perſons, beeing demaundant or
aintife, tenant or defendant, in any actyon
ſuite, at any time hereafter commenced or
ken in any of the kings ſaid Courtes, and
ead to any iſſue in the ſame action or ſuit:
hat then the ſame Attourneis and euery
them from time to time, ſhall deliuer or
uſe to be deliuered his or their ſufficient &
wful warrant of attourney, to be entered
recorde for euery of the ſaide actions or
ites, wherein they be named attourneis,
the officer or his deputie, ordeined for the
ceipt & entering thereof, in the ſame terme
hen the ſaid iſſue is entered of recorde in
ſaid court, or afore, vpon paine of forfai=
ing vnto our ſaid ſoueraigne Lorde tenne
undes ſterling for euery default, for non
iuering of the ſaid warrãt of attourney.
nd alſo further to ſuffer ſuch impriſonmẽt
by the diſcretion of the Juſtices of the
urt for the time being, where any ſuch de=
lt ſhal fortune to be had or made, ſhalbee
ought conuenient. This preſent act with
prouiſo to endure till the laſt day of the
ext parliament. ǂ This was continued
Añ.33.H.8.cap.17. & Añ.37.H.8.
cap.23. & Añ.2.E.6.cap.32.
it was made per=
petuall.

¶ An acte concerning Iointenants for terme of life, or yeares. Anno 32.H.8.cap.32.

¶ Barticion 4.

FOraſmuch as in the Parliament be gon at Weſtm̄ the eight and twent day of April, & there continued till th xxviij.day of Iune the xxxj. yeare the kinges moſt noble and victoriou raigne that now is. It was amongſt oth thinges there enacted and eſtabliſhed, th all Iointenants and tenants in commo that then were or hereafter ſhould be of an eſtate or eſtates of inheritāce in their ow rightes, or in the right of their wiues, of ny manors, landes, tenements, or heredyt ments within this Realme of England Wales, or Marches of the ſame, ſhall an may be coacted and compelled by vertue the ſaide acte, to make particion betwe them of all ſuch manors landes, tenement & hereditaments, as they then held, or her after ſhould hold as iointenants or tenan in common, as more plainly at large appe reth by the ſaide eſtatute. And for aſmu as the ſaid eſtatute doth not extend to ioi tenants and tenants in common for term of lyfe or yeres, neyther to iointenants a tenaunts in common, where one or ſome them haue but a particuler eſtate for term of life or yeres, and the other haue eſtate

eſtat

ſtates of inheritance, of and in any manors, landes, tenements, and hereditaments. Be it therfore enacted by the king our ſoueraigne lord, & by thaſſent of the Lordes ſpirituall and temporal, and the commons in this preſent parliament aſſembled, and by the auctoritie of the ſame, that al iointenants and tenants in common, & euery of them which now hold, or hereafter ſhall hold, iointly or in common for terme of lyfe, yere or yeares, or iointenants or tenants in cōmon, where one or ſome of them haue or ſhal haue eſtate or eſtates for terme of life or yeares, with ẏ other. that haue or ſhal haue eſtate or eſtates of inheritance or freeholde, in any manors, landes, tenemēts, or hereditaments, ſhal and may be compellable from hēceforth by writ of Particion to be purſued out of the kinges Court of Chaūcery vpon his or their caſe or caſes, to make ſeuerance & particion of al ſuch manors, lands, tenemēts, and hereditaments, which they holde iointly or in common, for terme of life or liues, yere or yeres, where one or ſome of them hold iointly or in cōmon for terme of life or yeres, with other, that haue an eſtate or eſtates of inherytance or freeholde.

¶ Prouided alway, & be it enacted that no ſuch particion nor ſeuerance hereafter to be made, by force of this act be, nor ſhalbe preiudicial or hurtful to any perſon or perſons their heires or ſucceſſors, or other then ſuch which bee parties vnto the ſaid particion,

their executors or aſſignes.

¶ That the dying ſeiſed of a wrongfull diſſeiſour is no diſcent in the law. 32.H.8.cap.33.

¶ Entre lawfull 2.

Where dyuers perſons, of they inſaciable mindes, haue hereto fore by ſtrength, and witho title, entered into manors, lãd tenements, and other heredita mentes, and wrongfully diſſeiſed the right full owners and poſſeſſors thereof, and being ſeiſed by diſſeiſin, haue thereof die ſeiſed, by reaſon of which dying ſeiſed, the diſſeiſie, or ſuch other perſonnes as befo ſuch diſcent might haue lawfully entred i to the ſayde manors, landes, and tenement were and bee thereby clerely excluded their entrie into the ſayde manors, lande and tenementes, and put to their action f their remedy and recouery therein, to the great coſtes and charges.

¶ For reformation whereof, be it enact by the aucthoritie of thys preſent parly ment, that the dying ſeiſed hereafter of a ſuch diſſeiſor, of, or in any manours, lande tenementes, or other hereditaments, hauir no right or title therein, ſhall not bee tak or deemed from henceforth any ſuch diſce in the lawe, for to tolle or take away t entre of any ſuch perſon or perſons, or the heire

[h]eires, which at the time of the ſame diſcēt [h]ad good and lawfull title of entre, into the [ſ]aid manours, lands, tenements, or heredy[t]amentes, except that ſuch diſſeiſour, hath [h]ad the peaceable poſſeſſion of ſuch manors, [la]nds, tenements, or hereditaments, where[o]f he ſhal ſo dye ſeiſed, by the ſpace of fyue [y]eres next after the diſſeiſin therein by hym [c]ommitted, without entrie or contynuall [c]laime, by or of ſuch perſon or perſons as [h]aue lawfull title thereunto.

Si vn abator mourust seisie deins les 5 ans, [illegible] H. 4 E. 6. Plowden. 47. fo.

¶ An acte concerning grauntees of reuerſions to take auantage of the condicions to be perfourmed by the leſſee. Anno 32. H. 8. cap. 34.

¶ Condicion 1.

Where before thys tyme, diuers aſwel temporall as eccleſiaſtical and relygious perſons, haue made ſundry [le]aſes, demiſes, and grauntes to dyuers [o]ther perſons of ſundry mannours, lord[ſh]ips, fermes, meaſes, landes, tenementes, [m]eadowes, paſtures, or other heredita[m]ents, for terme of life or liues, or for terme [o]f yeares, by writing vnder theyr ſeale or [ſe]ales, concerning, alias conteyning, certein [co]ndicions, couenants & agreements, to bee [pe]rformed aſwel on the part & behalfe of [th]e ſaid leſſees & grauntees, their executors [a]nd aſſignes, as one the behalfe of the ſaide

leſſours and grauntours,their heires & ſuc=
ceſſors. And for aſmuch as by the common
law of this realme,no ſtraunger,to any co=
uenant,action, or condicion,ſhall take any
aduauntage or beneſite of the ſame, by any
meanes or waies in the law, but onely ſuch
as be parties or priuies thereunto, by the
reaſon whereof,aſwel all grauntees of re=
uerſions,as alſo al grauntees & patentees o
the king our ſoueraigne lord,of ſundry ma=
nors, lordſhips, graunges,fermes,meaſes
lands,tenements,meadowes,paſtures,or o=
ther hereditaments, late belonging to mo=
naſteries,& other religious & eccleſiaſtical
houſes,diſſolued,ſuppreſſed, renounced, re=
linquiſhed,forfaited,geeuen vp, or by othe
meanes come to the hands & poſſeſſion of th
kings Maieſtie,ſince the fourth day of Fe=
bruarie,the xxvii. yeare of his moſt nobl
raigne,be excluded to haue any entre or ac
tion againſt the ſaid leſſees & grãtees,thei
executors or aſſignes, which the leſſors be
fore the time,mought by yͤ law haue had a
gainſt yͤ ſame leſſees,for yͤ breach of any co
dicion,couenãt,or agreement,cõpriſed in th
indentures of their ſaid leaſes,demyſes an
grãts.Be it further enacted by yͤ king ou
ſoueraigne lord,yͤ lords ſpiritual & tẽpora
& the commons in this preſent parliame
aſſembled,& by aucthority of the ſame,th
aſwel all & euery perſon & perſons,& bodie
politique,their heires,ſucceſſors & aſſigne
which haue or ſhal haue,any gift or grãt

rt ſaid ſoueraigne Lord, by his letters pa=
nts, of any lordſhips, manors, lands, tene=
ents, rēts, parſonages, tithes, porcions, or
ny other hereditamēts, or of any reuerſion
reuerſions of the ſame, which did belong
appertain to any of the ſaid monaſteries, &
her religious & eccleſiaſticall houſes, diſ=
lued, ſuppreſſed, relinquiſhed, forfaited, or
anye other meanes come to the kinges
ndes, ſince the ſaid iiij. day of Februarie,
e xxvij. yere of his moſt noble Reigne, or
hich at any time heretofore did belonge or
pertaine to any other perſon or perſons,
after came to the handes of our ſaid ſoue=
igne Lord, as alſo al other perſons beeing
rauntees or aſſignees, to or by our ſaid ſo=
eraigne lord the king, or to or by any other
erſon or perſons, then the kings highnes,
the heires, executors, ſucceſſors, & aſſignes
euery of thē, ſhal & may haue & enioy like
duātage againſt the leſſees, their executors
dminiſtrators, & aſſignes, by entre for non
ayment of the rent, or for doing of waſt, or
ther forfaiture. And alſo ſhall & may haue
enioy all & euery ſuch like, & the ſame ad=
antage, benefite & remedies, by action only
or not performing other condicions, coue=
ants or agreements, conteyned & expreſſed
n the indentures of their ſaid leaſes, dimi=
es, or graunts, againſt al & euery the ſayd
eſſees & fermors, and grauntees, their exe=
utors, adminiſtrators, and aſſignes, as
he ſaid leſſors or grauntours them ſelues
or

oꝛ their heires oꝛ ſucceſſoꝛs, ought, ſhoul
oꝛ might haue had and enioyed, at any tim
oꝛ times, in like maner and foꝛme, as if t
reuerſion of ſuch landes, tenenientes, oꝛ h
reditaments, had not come to the handes
our ſaid ſoueraigne Loꝛd, oꝛ as our ſaid ſo
ueraigne loꝛd, his heires & ſucceſſoꝛs ſhou
oꝛ might haue had & enioyed, in certeine ca
ſes, by vertue of the acte made at the fir
ſeſſion of this pꝛeſent parliament if no ſu
graunt by letters patents had ben made
his highnes. ‡ See Anno 31. H. 8. ca. 13.

¶ Moꝛeouer be it enacted by auctoꝛit
afoꝛeſaid, that all fermoꝛs, leſſees, & grau
tees of loꝛdſhips, manoꝛs, lands, tenement
rentes, parſonages, tythes, poꝛcions, oꝛ an
other hereditaments, foꝛ terme of yeres, li
oꝛ lyues, their executoꝛs, adminiſtratour
& aſſignes, ſhall & may haue like action, a
uantage & remedy, againſt all & euery pe
ſon & perſons, & bodies politike, their heir
ſucceſſoꝛs, and aſſignes, which haue oꝛ ſha
haue any gift oꝛ graunt of the king our ſo
ueraigne Loꝛd, oꝛ of any other perſon oꝛ pe
ſons of the reuerſion of the ſame manour
lands, tenements, and other hereditament
ſo letten, oꝛ any parcel thereof, foꝛ any co
dicion, couenant, oꝛ agreement, conteined
expꝛeſſed in the indentures of their leaſe
leaſes, as the ſame leſſees oꝛ any of them
might, oꝛ ſhould haue had agaynſt the ſai
leſſoꝛs and grauntoꝛs, their heires oꝛ ſu
ceſſours: all benefites and aduauntages
rece

ecoueries in value, by reaſon of any war=
antie in deede or law, by voucher, or other=
oiſe onely excepted.
¶ Prouided alwayes that this act nor a=
ie thing or things therein conteyned, ſhall
ctende to hynder or charge any perſon or
erſons, for the breach of any couenant or
ndicion, compriſed in any ſuch writing as
s aforeſaid, but for ſuch couenants & con=
icions as ſhalbe broken or not performed,
fter the firſt day of September next com=
ing, and not before: any thing before in
his acte conteyned to the contrary thereof
otwithſtanding.

¶Fines.

¶An act for the expoſicion of the Statute of Fines, Anno 32.H.8.cap.36.

¶ Fines 9.

FOr as much as in the fowerth yeare
of the Raigne of the late kinge of fa=
mous memorie kinge Henry the vij.
father of our moſt dreade ſoueraygne
Lord the kinge that now is, ‡ videlicet
.H.7.cap.24.‡ it was among many good &
ndry ſtatutes & ordināces then made for ẏ
ōmō wealth, enacted, ordeined & eſtabliſhed
forme & maner how fines ſhould be leuied
oith proclamations, in the kings court, be=
re his Juſtices of his common place, and
that

that ſuch fines with proclamacions, ſo ha
& made,to the intent to void al ſtriefes an
debates,ſhould be a final end,& conclude a
wel priuies as ſtraungers to the ſame,cer
taine perſons excepted & ſaued,as in ỹ ſam
eſtatute more plainely appeareth. Sythe
which time by diuerſitie of interpretacion
expounding of the ſame eſtatute,it hath be
& yet is by ſome maner of perſõs doubted
called in queſtion, whether fines wͭ procla
mations,leuied or to be leuied before ỹ ſa
iuſtices,by any perſõ or perſons, hauing
clayming to haue,in any manors, lands,t
nements,or hereditamẽts, compriſed in t
ſame fine,in poſſeſſion,reuerſion,remainde
or in vſe, any manner of eſtate taile,ſhou
immediatly after ỹ ſaid fine leuied,engroſſ
& proclamatiõ made,binde the right heir
heires of ſuch tenant in taile, & euery oth
perſon & perſons ſeiſed,or claiming to th
vſe or vſes ‡See P.19.H.8.caſe 5.‡ by occa
on whereof dyuers debates, controuerſie
ſuites,& troubles haue ben begon, moued
had wͭin this realme,& mo be like to enſu
remedie for ỹ ſame be not prouided. For t
eſtabliſhment & reformation whereof, & t
the ſure & ſincere interpretacion of the ſa
eſtatute,in auoyding al dãgers,contenti
controuerſies, ambiguities & doubtes t
hereafter may enſurge,growe, and happ
Our ſoueraigne Lord the kinge, with t
aſſent of the Lordes ſpiritual and tempor
and the commons in this preſent parliam
aſſembl

ſſembled, & by aucthoritie of the ſame, hath nacted and ordeyned, that all and ſinguler nes, as well heretofore leuied, as hereafter o bee leuied, before the ſaid Iuſtices wyth roclamatiōs, according to ẏ ſaid eſtatute, y any perſon or perſons, of full age of xxi. eares, of any manors, lands, tenements, or ereditamentes, before the time of the ſame ne leuied, in any wiſe entailed to the per= on or perſons ſo leuying the ſame fine, or any the aunceſtor or aunceſtors of ẏ ſame erſon or perſons, in poſſeſſion, reuerſion, emainder, or in vſe, ſhalbe immediatly af= r the ſame fine leuied, engroſſed, & procla= ations made, adiudged, accepted, deemed, nd taken, to all intentes and purpoſes, a ufficient barre & diſcharge for euer, againſt e ſaid perſonne and perſonnes, and theyr eires, clayming the ſame landes, tenemētes, nd hereditamentes, or any parcel thereof, nely by force of any ſuche tayle, and a= ainſt all other perſonnes, clayminge the ame, or any parcel therof, only to their vſe, to the vſe of any manner of heire of the odies of them: any ambiguitie, doubt, or ntrarioſitie of opinion, ryſen or growen pon the ſaid eſtatute, to the contrary not= ithſtanding.

¶ Prouided alway, that this act, nor any hing therein conteined, ſhal extend to barre exclude, the lawful entre, title, or intereſt any heire or heires, perſon or perſōs, here fore geuē, or hereafter to be geuē, growen

or

Si estraunge leuer fine al tenant in tayle come ceo que il ad de son done et il rend a luy un rent in fee et proclamations sur le fine incurre et le tenant in tayle morust sans issue avoidera le rent car est rendu al terre et le fine ne barra eux pur le rent, Plow: 435 vide bone cases de cest matter La.

Nota que le fine apres les proclamations faites sera barr al taile ... et le fine rend ... apres les proclamations sera barr al taile. vide Co 434. b.

oꝛ accrued to them, oꝛ any of them, in oꝛ t
any manoꝛs, lands, tenements, oꝛ heredita
mẽts, by reaſon of any fine oꝛ fines hereto
foꝛe leuied, oꝛ hereafter to be leuied by an
woman, after the death of her huſband, con
trarie to the fourme, intent, and effect of th
eſtatute made in the xj. yere of the ſaid lat
king Henry. the vij. ca. 20. of any manoꝛs
landes, tenements, & hereditaments, of th
inheritance oꝛ purchaſe of the ſaid huſbā
oꝛ of any his aunceſters, geuen oꝛ aſſigne
to any ſuch woman in dower, foꝛ terme c
life, oꝛ in taile, in vſe oꝛ in poſſeſſion, but
the ſame act made in the ſaid xj. yeare of th
ſaid late king Henry the vij. ſhall ſtand, re
maine, & be in full ſtrength & vertue, in eue
ry article, ſentence, and clauſe therein con
teyned, in lyke manner and fourme, a
though this pꝛeſent acte had neuer ben ha
ne made.

¶ Pꝛouided alſo, that this act ne any thin
therein conteined, do extende to any fine o
fines, in any time heretofoꝛe leuied, oꝛ here
after to be leuied, of any loꝛdſhips, manoꝛs
landes, tenements, oꝛ other heredytament
whatſouer they bee, the poſſeſſioners an
owners whereof, by reaſon of any expꝛeſ
woꝛdes contained in any ſpecial act oꝛ act
of parliament, made, oꝛ oꝛdeyned, ſithen th
ſaid iiij. yeare of the raigne of the ſaide lat
king Henry the vij. ſtande, be bounden, o
reſtrained from making any alienatiõs, diſ
continuances, oꝛ other alterations, of an
o

the ſame lordſhips, manors, landes, tene-
ments, or hereditaments, conteyned in the
ſaid fine or fines, but that all & euery ſuche
fine & fines, at any time heretofore leuied or
hereafter to be leuied, by any ſuch perſon,
or perſons, or their heires, of any ſuch
lordſhips, manors, lāds, tenements, or other
hereditaments, ſhalbe of ſuch like force and
ſtrength in y law, & of none other effect, thē
the ſame fine ſo leuied or to be leuied, ſhould
haue ben, if thys preſent act had neuer bene
had nor made: any thing herein conteyned
to the contrary thereof in anye wyſe not-
withſtanding.

Prouided alſo that this act, nor any thing
therein conteyned, ſhal extend to any fine or
fines, heretofore leuied of any manors, lands
tenements, or hereditaments, now in ſuyt,
demaunde, or variance, in any of the kynges
courtes, or whereof any charters, euidences
or muniments concerning the ſame, be now
in demaund in the kings high court of chā-
cerie, nor to any fine or fines heretofore le-
uied of any manors, lands, tenements, or he-
reditaments, which before y firſt day of this
preſent parliamēt haue ben recouered, gottē
or obteined, by reaſō of any iudgemēt, entre,
decree, arbiterment, or other lawful means,
contrary to y purport, intēt, or effect of any
ſuch fine or fines thereof heretofore leuied,
nor to any fine or fines heretofore leuied or
hereafter to be leuied by any pſon or pſōs, of
any manors, lāds, tenemēts, or hereditamēts

beforc

befoꝛe the time of the leuyinge of the ſam
fine geuen, graunted, oꝛ aſſigned to the ſai
perſon oꝛ perſons, ſo leuying the ſame fine
oꝛ to any of hys oꝛ their aunceſtoꝛs in th
taile, by vertue of any letters patents of ou
ſaid ſoueraigne Loꝛd, oꝛ any of his pꝛogent
toꝛs, oꝛ by vertue of any acte oꝛ actes of par
liament, the reuerſion whereof at the tim
of the ſame fine oꝛ fines ſo leuied, beeing i
our ſaid ſoueraigne Loꝛd, his heires oꝛ ſuc
ceſſoꝛs. But that euery ſuch fine & fines ſh
be of like foꝛce, ſtrength, and effect, as the
were oꝛ ſhould haue ben, if this act had ne
uer bene had noꝛ made.

¶ Rentes.

¶ An act for recouerie of arrerages of rentes by executors of tenant in fee ſimple. 32. H. 8. cap. 37. Rentes 2.

Foꝛ aſmuch as by the oꝛder of the com
law, the executoꝛs oꝛ adminiſtratoꝛs
tenants in fee ſimple, tenants in fee tail
and tenaunts foꝛ terme of lyues, of rent
ſeruices, rent charges, rent ſeckes, and f
fermes, haue no remedie to recouer ſu
arrerages of the ſaide rentes oꝛ fee ferme
as were due vnto their teſtatoꝛs in the
liues, noꝛ yet the heires of ſuch teſtatoꝛ, n
any perſõ hauing the reuerſion of his eſtat
after hys deceaſe may diſtrain oꝛ haue a
law fi

la ſoful actiō to leuie any ſuch arrerages of
rēts or of fee fermes, due vnto him in his life
as is aforeſaid, by reaſon whereof ẏ tenantes
of the demeane of ſuch landes, tenementes,
or hereditamentes, out of the which ſuche
rentes were due and payable, who of right
ought to pay their rēts and fermes, at ſuch
day and termes as they were due, doe many
times kepe, hold, and retaine, ſuch arrerages
in their owne handes, ſo that the executors
and adminiſtratours of the perſonnes, to
whom ſuch rentes, or fee fermes were due
cannot haue or come by the ſaide arrerages
of the ſame, towardes (the) payment of the
debts, and perfourmaunce of the will of the
ſaid teſtatours. (M. 19. H. 6. cap. 83. fol. 41.
Dett. 37. and Executors. 98. Anno. 4. E. 3
Itiñ Noting.)

¶ For remedie whereof be it enacted by
authoritie of this preſent parliament, that
the executours, & adminiſtratours of euerie
ſuch perſon or perſōs, vnto whom any ſuch
rent, or fee ferme, is or ſhall be due, and not
payed at the time of his death, ſhall & maye
haue an action of debt, for al ſuch arrerages,
againſte the tenaunt or tenauntes, that
ought to haue paied the ſayde rente or fee
fermes, ſo being behinde, in the life of their
teſtatour, or againſt the executours and ad=
miniſtratours of the ſaide tenauntes. And
alſo furthermore, it ſhall be lawfull to euery
ſuch executour and adminiſtratour, of anye
ſuch perſon or perſonnes, vnto whom ſuch

rent oꝛ fee ferme ſis ſoꝛ ſhall be due, and not paid at the time of his death, as is afoꝛeſaid, to diſtraine foꝛ the arrerages of al ſuch rẽts and fee fermes, vpon the landes, tenements, and other hereditaments, which were charged with the paiment of ſuch rentes oꝛ fee fermes, and chargeable to the diſtreſſe of the ſaid teſtatour, ſo long as the ſaid lands, tenemẽts, & hereditamẽts, cõtinue remaini and be in the ſeaſon and poſſeſſion of the ſaid tenant in demeane, who ought immediatel to haue paied the ſaide rent oꝛ fee ferme, ſo being behind to the ſaid teſtatoꝛ in his life, oꝛ in the ſeaſon oꝛ poſſeſſiõ of any other per ſon oꝛ perſonnes, claiming the ſaid landes, tenementes and hereditamentes, onely b and from the ſame tenant, by purchaſe, gift, oꝛ diſcent, in like maner and fourme as thei ſaid teſtatour mought oꝛ ought to haue don in his life time, and the ſaid executours an adminiſtratours, ſhal foꝛ the ſame diſtreſſe lawfully make auowꝛie, vpon their matte afoꝛeſaid.

¶Pꝛouided alwaie, that this act noꝛ any thing therin contained, ſhal not extend to a any ſuch manour, loꝛdſhippe oꝛ dominion i Wales, oꝛ in the marches of the ſame, wher of the inhabitauntes haue vſed time out o the mind of man to pay vnto euerye Loꝛd oꝛ owner of ſuch loꝛdſhip, manour, oꝛ domi niõ, at his oꝛ their firſt entry into the ſame any ſumme oꝛ ſummes of money, foꝛ th

re:

redemption and diſcharge of all dutyes forfaitures and penalties, wherewith the ſaid inhabitaunts, were chargeable, to any of their ſaide Lordes aunceſtours or predeceſſours before his ſaid entre,

¶ And further be it enacted by the auctoritie aforeſaid, that if any man, which nowe hath, or hereafter ſhall haue in the right of his wife, any eſtate in fee ſimple, fee taile, or for terme of life, of, or in any rentes or fee fermes, and the ſame rentes or fee fermes, now bee, or hereafter ſhall bee due behinde and unpaied, in the ſaid wiues life, then the ſaid huſbande, after the death of his ſaied wife, his executours and adminiſtratours, ſhal haue an action of debt for the ſaied arrerages, againſt the tenaunt of the demeſne that ought to haue paied the ſame, his execucours or adminiſtratourz And alſo yͤ ſaid huſbād, after the death of his ſaid wife, may diſtrain for the ſaid arrerages, in like maner and fourme, as he mought haue done, if his ſaid wife had ben thē liuing, & make auowrie upon his matter as is aforeſaid.

¶ And like wiſe it is further enacted by yͤ aucthoritie, aforeſaid yͭ if any ꝑſon or ꝑſons which now hath or hereafter ſhal haue any rents or fee fermes, for terme of life or liues of any other ꝑſon or ꝑſōs, & yͤ ſaid rēt or fee ferme, now be, or hereafter ſhalbe due, & behind & unpaied, in yͤ life of such perſō or ꝑſons, for whole life or liues, yͤ eſtate of yͤ ſaid rēt or fee ferme did depend or cōtinue, &

after the ſaide perſon or perſonnes doth die: Then yee vnto whom the ſaide rent or fee ferme was due in fourme aforeſaid, his executours & adminiſtratours, ſhal & may haue an action of debt againſt ẏ tenant in demeſn that ought to haue paied the ſame, when it firſt was due, his executours and adminiſtratours, and alſo diſtraine for the ſame arrerages, vpon ſuch landes, and tenementes, out of the which the ſaid rents or fee fermes were iſſuing and paiable, in ſuch like manner and fourme, as he ought or might haue done if ſuch perſon or perſons, by whoſe death the aforeſaid eſtate in the ſaid rents and fee fermes was determined and expired, had ben in full life and not dead. And the auowrye for the taking of the ſame diſtreſſe to bee made in maner and fourme aforeſaid.

¶Willes.

¶ An act for the explanation of the ſtatute of willes. An. 34. H. 8. ca. 5.

¶VVilles. 3.

VV Here in the laſt Parliament begunne and holden at weſtminſter the xxviij. day of April, in the one & thirtie yeare of the kinges moſt gratious Raigne § cap. primo Willes. 2. § And therby diuers prorogations halden and cōtinued

vnt

vnto the xxiiij.day of July.in the xxxij.yere
of his ſaied reigne, It was by the kinges
moſt gratious and liberal diſpoſitiou, ſhew=
ed towarde his moſt humble and obedient
ſubiectes.ordeined and enacted, how and in
what maner, lands, tenements,and heredi=
tamentes, myght by will, or teſtament,in
writinge, or otherwiſe by any act or actes
lawfully executed in the life of euery perſõ
geuen, diſpoſed,willed or deuiſed, for the ad-
uauncement of the wife, preferment of chil=
dren, payment of debts, of euery ſuch per=
ſon, or otherwiſe, at his will or pleaſure,as
in the ſame acte more plainely is declared.
Sithen the makinge of which eſtatute, dy=
uers doubts, queſtions, and ambiguities,
haue riſen,bene moued & growen, by diuer=
ſitie of opinions taking,in and vpon the ex=
poſition of the letter of the ſame eſtatute.
¶ For a plaine declaration and explanati=
on whereof, and to the intent and purpoſe,
that the kinges, obedient and louinge ſub=
iects,ſhal and may take the commoditie and
aduantage of the kinges ſaide gracious and
liberall diſpoſition, the lordes ſpiritual and
temporall,and the commons in this preſent
parliament aſſembled, moſt humbly beſechen
the kinges maieſtie, that the meaning of the
letter of the ſame eſtatute, concerning ſuch
matters hereafter rehearſed, may bee by the
auchoritie of this preſent parliamẽt enacted,
taken, expounded, iudged, declared, & expla=
ned, in maner & fourme following.

 ¶ Firſt

(otherwiſe) for out. opus. charatiue.

¶ Firſt where it is contained in the ſame
former ſtatute, within diuers articles and
braunches of the ſame, that all and ſinguler
perſon and perſons, hauing anye manours,
landes, tenementes, or hereditamentes, of
the eſtate of inheritance, ſhoulde haue full &
free libertie, power and authoritie, to geue,
will, diſpoſe, or aſſigne, as well by laſt will
and teſtament in writing, or otherwiſe, by
any act or acts lawfully executed in his life:
his manours, landes, tenementes, or here-
ditamentes, or any of them in ſuch manne
and fourme, as in the ſame former act mor
at large it doth appeare, which wordes of eſ-
tate of inheritance, by the authority of this
preſent parliament, is and ſhall be declared,
expounded, taken, and iudged, of eſtates in
fee ſimple only. And alſo that al and ſingu-
ler perſon and perſons, hauing a ſole eſtat
or intereſt in fee ſimple, or ſeiſed in fee ſim-
ple, in copercenary, or in common in fee ſim-
ple, of, and in anye manours, landes, tene-
ments, rentes, or other hereditamentes, i
poſſeſſion, reuerſion or remainder, or of rēt
or ſeruices incident to anye reuerſion o
remainder, and hauing no manours, landes
tenementes, or hereditaments, holden of th
king, his heirs or ſucceſſors, or of any othe
perſon or perſons, by knightes ſeruice, ſhal
haue full and free libertie, power, & autho
ritie to geue, diſpoſe, will, or deuiſe, to an
perſon or perſons (except bodies politike
corporate) by his laſt will and teſtament i
wr

wꝛiting,oꝛ otherwiſe , by any acte oꝛ actes,
lawfully executed in his life,by himſelf ſoly
oꝛ by himſelfe and other ioıntly, ſeuerallye,
oꝛ particularly,oꝛ by al thoſe waies oꝛ anie
of thē, as much as in him of right is oꝛ ſhal
be,al his ſaid manoꝛs,landes , tenementes,
rentes,and hereditaments, oꝛ any of them,
oꝛ any rents, commons , oꝛ other pꝛofites,
oꝛ commodities,out of,oꝛ to be perceiued of
the ſame,oꝛ out of any parcell therof,at his
owne free will and pleaſure, anye clauſe in
the ſaid foꝛmer act notwithſtanding.

¶ And further be it declared and enacted
by the auctoꝛitie afoꝛeſaid,that all and ſin=
guler perſon & perſons,hauing a ſole eſtate
oꝛ intereſt in fee ſimple,oꝛ ſeiſed in fee ſimple
in copercenary,oꝛ in common in fee ſimple,of
oꝛ in any manoꝛs,landes,tenements, rents,
oꝛ other hereditaments,in poſſeſſion,reuer=
ſion,oꝛ remainder,oꝛ of and in any rentes oꝛ
ſeruices incidēt to any reuerſion oꝛ remain=
der,holden of the king by knights ſeruice in
chiefe,oꝛ of the nature of knightes ſeruice in
chiefe,hath & by the auctoꝛity of this pꝛe=
ſent parliament ſhal haue ful and free liber=
tie,power and auctoꝛitie,to giue, diſpoſe,
will,oꝛ aſſigne to any perſon oꝛ perſons(ex=
cept bodies politike oꝛ coꝛpoꝛate) by his
laſt wil & teſtamēt in wꝛiting, oꝛ otherwiſe
by any act oꝛ acts,lawfully executed in his
life,by him ſelfe ſoly,oꝛ by himſelfe & other
ioyntly,ſeuerally,oꝛ particularly , oꝛ by all
thoſe waies oꝛ any of thē,as much as in him

of right is or ſhal be, two partes aſwell of
all the ſaide manors, lands, tenements, ren-
tes, and hereditamentes, as of al and ſingu-
ler his other rentes, and hereditamentes, or
of any of them, or anie rentes, commons, or
other profits or commodities, out of, or to
be perceiued of the ſame two partes, or out
of any parcel therof, in thre parts to be de-
uided, or as much therof, as ſhall amount to
the full and clere yerely value of two partes
therof, in thre partes to be deuided of whal
perſon or perſons ſo euer they be holden, al
his free will and pleaſure. And that by th
aucthoritie aforeſaid, ye ſaid wil ſo declare
ſhalbe good and effectuall for two partes o
the ſaid manors, landes, tenementes, & he-
reditamentes, althoughe the wil ſo declare
be made of the whole, or of more thē of tw
partes of the ſame. ¶ The ſame diuiſion to b
made and ſet forth, by the deuiſor or owne
of the ſame mannors, landes, tenemente
and hereditamentes, by his laſt wil in wri-
ting or otherwiſe in writig. And in defaul
thereof, by a commiſſion to be granted ou
of the kings court of the wardes and liue-
ries, upon the inquiry of ye true value there-
of, by the othes of xij. men, and retourne o
certificat thereof had in the ſame court, of
ſaide mannors, landes, tenementes, and he-
reditaments, diuiſiō to be made by the maſ-
ter of the wardes and liueries, if the maſte
of the wardes and liueries for the time be-
ing, and the parties therunto can not othe
wil

wiſe agree vpon the ſame deuiſiō. And that the iſſues and profites of the two partes of the ſame manors, landes, tenementes, and hereditamentes vpon euery ſuch deuiſion, to be reſtored to them that ſhall haue right, or title to the ſame, frō the death of the owner or deuiſour thereof.

¶ And further bee it enacted and declared by thaucthoritie aforeſaide, that all and ſinguler perſon and perſons hauing a ſole eſtate or intreſt in fee ſimple, or ſeiſed in fee ſimple, in copercenarie, or in common, in fee ſimple, of and in any manors, landes, tenementes, rentes, or other hereditamentes, in poſſeſſion, reuerſion, or remainder, or of and in any, rents or ſeruicez, incident to any reuerſion or remainder, holden of the king, his heires or ſucceſſours by knights ſeruice, & not in chiefe, or holdē of any other pſō or pſonz by knighes ſeruice, ſhal haue full & free libertie, power & aucthoritie, to geue, diſpoſe wil or deuiſe, to any pſon or perſons, except bodies politike & corporate, by his laſt wil & teſtamt in writing, or otherwiſe, by any act or actz lawfully executed in his life, by himſelf ſoly, or by hiſelf & other, iointly ſeuerally or particularly, or by al thoſe wayes, or any of them, as much as in him of right is or ſhal be, two parts of al the ſaid manors, landes, tenementes, and hereditaments, or anie of them ſo holden by knightes ſeruice, or any rentes common or other profites or commodities, out of, or to be perceiued of ÿ

ſame

ſame two parts,oꝛ out of any parcel therof, in iij.parts to be deuided,oꝛ as much thereof,as ſhal amoūt to the full & clere yerelye value of two parts thereof, in thꝛee partes to be deuided,at his free wil & pleaſure.And that the ſaid wil ſo declared, by authoꝛitie afoꝛeſaid,ſhalbe good and effectuall, foꝛ two partes of the ſaid manoꝛs, lands, tenemẽts, oꝛ hereditamentes, although the will ſo declared be oꝛ ſhalbe made of ye whole lands & tenements,ſo holden by knightes ſeruice, oꝛ of moꝛe then of two partes of the ſame. And alſo foꝛ the whole of al other ſuch manoꝛs,lands,tenements,and hereditamentes oꝛ any of them,not holden of the kinge by knightes ſeruice in chiefe, oꝛ otherwiſe by knightes ſeruice,noꝛ of any other perſon by knightes ſeruice,& of any rēts,commons,oꝛ other pfits oꝛ cōmodities,out of,oꝛ to be pceiued of ye ſame,oꝛ out of any parcel thereof at his free wil & pleaſure.The ſame diuiſiō to be made and ſet foꝛth,by the owner of the ſaid manoꝛs,landes,tenementes, and hereditamentes, by his laſt will & teſtament in wꝛiting,oꝛ otherwiſe in wꝛitīg.And in default thereof,foꝛ aſmuch of the ſame manoꝛs landes,tenements,and hereditamentes, as ſhal concerne the kings intereſt,by commiſſion,to be directed out of the kings court of the wardes and liueries,in maner & fourme as is afoꝛeſaid,if the maſter of the wardes and liueries foꝛ the time being, and the parties thereunto,cannot otherwiſe agree vpō the

the ſame diuiſion. And that reſtitution of the iſſues & profites of the two partes thereof, ſhalbe had and made, in maner & fourme abouesaid. And for ſuch of the ſame manors landes, tenementes, and hereditamentes, as ſhal concerne the intereſt of any other Lorde or Lords, by commiſſion to be graunted out of the kinges courte of the Chauncerie, to enquire thereof, by the othes of xij. men, if ÿ ſame Lord or Lords, and the parties thereunto can not otherwiſe agree vpon the ſame deuiſion.

¶ And be it further enacted & declared by authoritie aforeſaid, that the ſauinges, reſeruings, and prouiſions, concerning ſauing of the cuſtodie, wardſhip, reliefe, and primer ſeaſon to the king, of ſuch manors, landes, tenementes, and hereditamentes, or aſmuch thereof, as ſhall appertaine vnto him, by vertue of the ſaid former act, and by the declaration and expoſition thereof, declared by this preſent act, during the kinges intereſt therin. And alſo of the cuſtody & wardſhip to other lords, of as much of ſuch mannors landes, tenements, and hereditamentes, holden of them, as ſhal amount and extende to the clere yerely value of ÿ third part therof ouer and aboue al charges, without any diminution or abridgement of the third part, or of the ful profits thereof, compriſed and mencioned in diuers articles in the ſaid former act contained, by ÿ auctoritie aforeſaid be & ſhalbe intended, expounded, & taken, as here=

hereafter enſueth: that is to ſay, that ẏ king ſhal haue and take for his full thirde parte, of all ſuch manors, landes, tenementes, and hereditaments, whereunto he is or ſhall be intitled by the ſaide former act, and by this preſent act, ſuch manors, landes, and tenements, as ſhall by any meanes diſcend, or come by diſcent, as well of eſtate of inheritaunce in fee tayle, as in fee ſimple, or in fee taile onely to the heire of any ſuch perſon or that ſhall make anie wil, gift, diſpoſition, or deuiſe, by his laſt wil in writing, or by any act or actes lawfully executed in his lyfe, immediately after the death of the ſame deuiſour or owner thereof. And that the will, gift & deuiſe of euery ſuch deuiſour or owner, of and for the two partes of the ſayde manors, landes, tenements, and hereditaments reſidue, ſhal by the auctoritie aforeſaid, be and ſtand good and effectuall in the lawe, albeit the ſame wil, gift, or deuiſe be had and made of all his fee ſimple lands, tenements, and hereditaments, or of the more part thereof. And in caſe the ſame manours landes, tenementes, and hereditamentes, which after the death of any ſuch owner or deuiſour, which ſhall make anye ſuch gifte diſpoſition or deuiſe, by his laſt wil in writing, or otherwiſe, by any act or actes lawfully executed in his life, to his wife childri or otherwiſe as is aforeſaid, which ſhal immediately after his death, diſcend, reuert, remaine or come to his heire or heires, aſwel

o

f eſtate of inheritance in fee taile, as of eſ=
ate in fee ſimple, or fee taile onely, be not, or
hal not amount or extende to the full cleré
erely value of the ful thirde part, with the
ill profits thereof, of al the ſaid manours,
ndes, tenementes, or other hereditaments
f the ſaid deuiſour or owner, according to
e true intent and meaning of the ſaid for=
er act, and of this preſent act: that then the
ing ſhall and may haue and take into his
andes and poſſeſſion, to make vp his full
ird part, with the full profits thereof ac=
ording to his intereſt therein, as much of
e other manours, landes, tenementes, or
ereditamentes, willed, geuen diſpoſed, or
ſigned by any ſuch perſō, to his wife, chil=
en or otherwiſe, as is aforeſaid, as with
ch of the ſame manours, landes, tenemēts,
d hereditaments diſcended, or by anye
eanes come vnto the heire, as heire of any
ch deuiſour or owner, ſhall make vp the
ere yerely value of the ſaid ful thirde part
ith the full profits thereof, of all the ſayd
anours, lands, tenemēts, & hereditaments
euery ſuch owner or deuiſour, ſo to bee
d to the kinge, in title of wardſhippe or
imer ſeaſon, as the caſe ſhall require. And
e deuiſion thereof to be had and made, and
ith the reſtitution of the profits of ẏ two
rtes of the ſaid manours, landes, tene=
ents, and hereditamentes, in ſuch maner
d fourme as is aboue reherſed. And like
nefite and aduanntage to be geuen, had, &
taken,

taken, by the ſaid aucthoꝛitie, to euery Loꝛ
and Loꝛdes of whom anye ſuch manours
lands, tenements, oꝛ hereditaments, bene o
ſhalbe holden by knightes ſeruice, in mane
and fourme as is afoꝛeſaid, concerning onl
his oꝛ their third partes thereof, accoꝛding
to their ſaid intereſt therein.

¶ And be it further enacted by the auctho
ꝛitie afoꝛeſaid, that if it happen ẏ ſame thir
parte, oꝛ any parcel therof, left, willed, oꝛ a
ſigned, to the king oꝛ other loꝛd, at any tim
during their intereſtes therin, to be lawful
ly euicted oꝛ determined, that then the king
and the other Loꝛd, ſhall haue as much
the two partes reſidue, as ſhall accompliſh
and make vp a full third part, in clere yer
ly value, after the rate and poꝛtion of ſuc
manours, landes, tenementes, and heredit
mentes, as ſhall then happen to remaine
the ſame third part, not deuicted noꝛ dete
mined, and of the other two partes of ſuc
manours, landes, tenementes, and heredit
mentes, as the king oꝛ other Loꝛde ſhoul
oꝛ ought to haue had, by vertue of the ſa
foꝛmer act, and this pꝛeſent act: and ẏ ſa
to be deuided, in maner and fourme abo
rehearſed, any clauſe in the ſaid foꝛmer a
notwithſtanding.

¶ And be it further enacted and declar
by thaucthoꝛitie afoꝛeſaid, that the ſauing
reſeruing foꝛ fines foꝛ alienatiō, by any ſu
laſte wil and teſtament, of ſuch manour
land

andes,tenements,oꝛ hereditaments,holden
f the king by knightꝫ ſeruice in chiefe,oꝛ of
he nature of knights ſeruice in chiefe, oꝛ by
ocage in chiefe,oꝛ of the nature of ſocage,
enure in chiefe,oꝛ foꝛ fines foꝛ alienation,of
uch manours,landes,tenementes, oꝛ here=
itamentes,whereof there ſhall bee any al=
ration of freeholde,oꝛ of inheritance,made
y any ſuch laſte will, compꝛiſed in diuers
nd ſundꝛy articles, mencioned in the ſaide
ꝛmer acte, bee and ſhall bee intended, ex=
ounded,taken, deemed,and iudged, by the
ucthoꝛitie afoꝛeſaid,that all ſuch perſonne
perſonnes, to whom the ſaide manours,
ndes,tenementes, oꝛ hereditamentes, oꝛ
y of them, bee oꝛ ſhall bee geuen, diſpo=
d,willed,oꝛ deuiſed,by any ſuch laſte will,
all bee exonerated, acquited and diſchar=
d foꝛ euer,againſte the kinge, his heires,
d ſucceſſours,foꝛ all ſuch fines foꝛ aliena=
ons, by any ſuch laſt wyll oꝛ teſtament,
ithout licence,by ſuing foꝛth of the kings
rdone foꝛ alienation out of the kinges
art of Chauncery, paying to the kinge
s heires oꝛ ſucceſſours,foꝛ the fine of eue=
ſuch alienatiō,the third part of the yere=
value of the ſame manoꝛs,lands,tenemēts,
other hereditaments,to him oꝛ thē willed
deuiſed, ⁊ this act from time to time ſhall
a ſufficient warrant,to the loꝛd chauncel-
ur of Englād,oꝛ keper of ẏ great ſeale foꝛ
e time being,foꝛ ẏ grāting out of ẏ ſaide
rdō oꝛ pardōs,vnder ẏ kinges great ſeale
es

as heretofoꝛe hath bene vſed foꝛ pardōs foꝛ
alienations,without any further ſuit to be
made to the king foꝛ the ſame.

¶And it is further declared & enacted, by
ẏ authoꝛity afoꝛeſaid,that willes oꝛ teſta:
ments,made of any manours,landes, tene:
ments,oꝛ other hereditamentes,by any wo:
man couert,oꝛ perſon within the age of xxi
yeres,ideot, oꝛ by any perſon de non ſane me
morie,ſhal not be taken to be good oꝛ effectua
in the law.

¶And be it further enacted by the autho
ritie afoꝛeſaid,that if any perſon oꝛ perſō
hauing eſtate of inheritaunce, of oꝛ in,man
nours,landes,tenements,oꝛ hereditament
holden of the king by knightes ſeruice i
chiefe,oꝛ otherwiſe of the king by knighte
ſeruice,oꝛ of any other perſon oꝛ perſons b
knightes ſeruice,hath geuen at any time ſ
then the xx.day of ẏ ſaide moneth of July
§32.H.8.Añ dñi 1540. § oꝛ hereafter ſha
giue,wil,deuiſe,oꝛ aſſigne, by will,oꝛ oth
act executed in this life,his manours,land
tenements,oꝛ hereditamentes, oꝛ any of th
by fraude oꝛ couine, to any other perſon
perſonnes,foꝛ terme of yeares,life,oꝛ liue
with one remainder ouer in fee, oꝛ with di
uers remainders ouer foꝛ tme of yeares,li
oꝛ in taile,with a remainder ouer in fee ſin
ple to any perſon oꝛ ꝑſons,oꝛ to his oꝛ the
right heires,oꝛ at any time ſithen ẏ ſaid x
day of July,hath conueied oꝛ made,oꝛ her
after ſhal conuey oꝛ make by fraud oꝛ coui

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contrary to the true intent of this acte, any eſtates, condicions, meſnalties, tenures, or conueiãces, to the intent to defraude or diſceaue the kinge of his prerogatiue, primer ſeiſin, liuerie, reliefe, wardſhip, mariages, or rightes: or any other Lord of their wardſhips, reliefes, heriots, or other pfits which ſhould or ought to accrue, grow, or come vnto them, or any of them, by or after the death of his or their tenant, by force & accordinge to the former eſtatute & of this preſent act & declaration. And the ſame eſtates and other conueyances, being found by office to bee ſo made or contriued by couin, fraude, or dyſceipt, as is aboueſaid, contrarie to the true intent & meaning of the ſaid former act, & of this acte: That then the king ſhall haue as well the wardſhip of the bodie & cuſtodie of the landes, tenementes, and hereditaments, as liuerie, primer ſeiſin, reliefe, & other profites, which ſhould or ought to appertayne to the king, according to the true intent and meaning of the ſaid former act, & of this preſent act, as though no ſuch eſtates or conueiances by couin, had neuer bene had or made vntil the ſaid office be lawfully vndone by trauerſe or otherwiſe. And that the other Lord & Lords, of whom any ſuch manours, lands, tenements, or hereditaments, ſhalbee holden by knights ſeruice, as is aforeſaide, ſhal haue their remedie in ſuch caſes, for his or their wardſhips of bodies and landes, by writ of right of warde, & ſhal diſtraine and

make auowry or cogniſance, by them ſelues or their bailiffes, for their relyefes, heriots, and other profites, which ſhould haue bene to them due, by or after the death of theyr tenaunt, as if no ſuch eſtate or conueyance had bene had or made. Sauing and reſeruing alwaies by the aucthoritie aforeſaide the right & title of the donees, feoffees, leſſees, and deuiſees thereof, againſt the ſaide deuiſour and his heires, after the intereſt & title of the king or other Lord therein ended and determined.

¶ Prouided alwayes that this acte, explanation, & declaration, or any of them, or any thing in this ſaid act, explanation or declaration conteyned, ſhal not extende to the will or deuiſe of Sir John Gaynſford, late of Crowherſt in ye coūty of Surrey knight deceaſed: Nor to the will or deuiſe of Sir Peter Filpot knight deceaſed: nor to ye wil or deuiſe of Richard Creſwel late of Mattingley in the county of South. gentleman deceaſed, nor to ye will or deuiſe of Thomas Unton late of the countie of Berk. gentleman deceaſed, ſonne of ſir Thomas Unton knight alſo deceaſed: or ſhalbe in any wiſe preiudicial or hurtfull to any perſon or perſons, for or concerning any manors, landes, tenements, or heredytaments, conteyned or eſpecified in the ſaid willes or deuiſes, or in any of them, but that the ſaid laſt willes and deuiſes, and euery of them ſhal ſtande abide, remaine, and be, in the ſame caſe, forc[e]

an[d]

and effect in the law,to all intents, purpoſes,and conſtructions,as the ſaid laſt wils and deuiſes,and euery of them, were before the making of this acte,declaration and explanation,and of none other effect or force: this act,declaration,and explanation,or any of them,or any thinge therein conteined to the contrary thereof in any wiſe notwythſtanding.

¶Prouided alway,& be it enacted by the aucthoritie aforeſaid,that al and euery perſon and perſons from whom the kinge or other Lord or Lordes, ſhall take any mannors,,lands,tenements, or hereditaments, for his or their ful third part, or to make vp his or their thirde part, ſhall and may by aucthoritie of this preſent act, in any of the caſes aforeſaid, vpon his or their byll exhibited in the kings court of Chauncery, againſt all and euery ſuche perſon and perſons,which ſhalbe intitled by or vnder any ſuch will,gift, diſpoſicion or deuiſe, to the other two parts,haue ſuch contribution or recompence for the ſame, as by the Chauncellor of Englande, or by the Keper of the great ſeale of Englande, for the time being, ſhalbe thought good and conuenient.

Se the Statute 34.H.8.cap.20. of Recoueries.

¶ An acte to embarre feyned recoueries of landes wherein the kinges Maieſtie is in reuerſion. Anno 34.H.8.cap.20.

¶ Recoueries 4.

Where diuers of the kinges moſt noble progenitoꝛs, and ſpecially the kinge our ſoueraigne Loꝛde moſt liberally aboue all other, hath geuen and graunted, oꝛ otherwiſe pꝛouided to his & their louing and good ſeruants and ſubiectes, aſwell nobles, as other, manours, meaſes, lands, tenements, rents, ſeruices, and hereditamẽts to them and to their heires males of theyr bodies, oꝛ to the heires of their bodies lawfully begotten, mynding at the time of ſuch giftes not onely to pꝛeferre and aduaunce pꝛeſently the donees, but alſo their heyres in bloud of their bodies, accoꝛding to the limitacion of the ſaid giftes: to the intent ỹ recompence foꝛ the ſeruice of ſuch donees, ſhould not onely be a benefit foꝛ their owne perſons, but a continual pꝛofit & cõmoditie to & foꝛ their heires cõming of their bodies, whereby ſuch heires ſhould haue in ſpecial memoꝛie and daily remembꝛance, the pꝛofite that they haue & take by the ſeruice of their aunceſtoꝛs done to the kings of this realm, and thereby be the better encouraged to do like ſeruice to their ſoueraigne Loꝛd, as to their dueties of allegeaunce appertayneth.

And

And for aſmuch as ſundry ſuch donees in taile, and their heires haue ſuffered & daily ſuffer by their conſentes, vntrue and ſeyned recoueries to be had againſt them, with cōmon voucher or otherwiſe, of manors, meaſſes, landes, tenements, or hereditaments, ſo geuen, graunted or prouided in taile by the kings Maieſtie, or hys noble progenitors, as is aforeſaid, to the intent by fraude, couin, and vndue meanes, not only to binde & defeat their heires inheritable by the limytacion of ſuch gifts, but alſo the king of his prerogatiue, wardſhip, primer ſeiſin, and other his rightes, whereby queſtions and diuerſities of opinion haue riſen, and yet be: whether ſuch feyned and vntrue recoueries againſt ſuch tenants in taile, by their owne conſent, of landes, tenements, or heredytaments, whereof the reuerſion or remainder is in the kinge, at the time of ſuch recouery or recoueries had, ſhould after the death of the tenant in taile, bind the heires in taile or not. For the plaine declaration whereof, & to auoide & extinct from henceforth diuerſities of opinions in ſuch caſes. Be it ordeyned & enacted by aucthoritie of this preſent parliament, ỹ no ſuch fayned recouery hereafter to be had, by aſſent of parties, againſt any ſuch tenant or tenants in taile, of any lands, tenements or hereditaments, wherof ỹ reuerſion or remainder at the time of ſuch recouerie had, ſhalbe in the king, ſhall binde or conclude the heires in taile, whether any

estate taile intend deins l'estat doit estre
create per un Roy, et nemy per ascun subiect:
2, si Roy est ousté tout reuers, n'est hors de l'estat
3, le Roy fist [illegible] dond in t, rem in t, ambideux
sont deins l'estat: 4, si subiect fist
dond in t, rem al Roy, n'est hors de l'estat: 5,
ou prince fist dond in t, rem a son pier
et puis le corone discend al prince, n'
est hors de l'estat: 6, rem in l'estat est
per creation del Roy et nemy del subiect:
7, fine nest barrer, ou com recouery
nest: 8, ou com recouery est doit estre
estate taile, la fine est auci: 9, rem
in t doit estre priuy al tiel actes, q sont
fait vers l'estat, car si tiel rem soit
diss. et deins le fine, et sans passe
per l'estate taile est barre: 10, l'act
extend al future donees.

condicion ‡ alias common ‡ voucher be had in any ſuch feyned recouerie or not, but that after the death of euery ſuch tenant in taile againſt whom any ſuch recouery ſhalbe had, the heires in taile may enter, haue and enioy the lands, tenements, and hereditaments ſo recouered, according to the forme of the gift of entaile: the ſaide recouerie or any other thing or things hereafter to be had, done, or ſuffred, by or againſt any ſuch tenāt in taile to the contrarie notwithſtanding.

¶ And be it alſo further enacted by thaucthoritie aforeſaid, that the heires of euerie ſuch tenant in taile, againſt whom any ſuch feyned recouerie ſhalbe had, ſhall take none aduantage for any recompence in value againſt the vouchee or his heires.

¶ Prouided alway that this acte or any thing therein conteined, be not in any wiſe preiudicial or hurtfull to the leſſee or leſſees of any ſuch tenāt in taile made or to be made by writing indented, of any manors, lands tenements or hereditamentes, for terme o xxj. yeres, thre lyues, or vnder, whereupo the accuſtomable rent and rents or more, i or ſhalbe reſerued yearely during the ſam terme or termes: but the ſame leſſee & leſſees, ſhal and may haue & enioy his or they terme and termes therein againſt the heire heires of euery ſuch tenant in taile, according to the tenour, purport, and effect of th ſtatute made in the xxxij. yeare of the raign of our ſoueraigne Lord king Henry the vi

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any thing in this acte conteined to the contrarie thereof notwithſtanding. ‡ See Anno 32.H.8.cap.28. Leaſes 2.

¶An acte that fines in townes corporate, ſhalbee made as the ſame in time heretofore haue bene. Anno 34.H.8.cap.22.

¶Inrolmentes 3.

Where in the Parliamēt holden in the xxvij. yeare of our moſt dread ſoueraigne Lord kinge Henry the eight, ‡See the ſtatute ment 32.H.8.ca.28. but all the printes be.27.H.8. Ideo Quære.‡ It was enacted by aucthoritie of the ſaid parliament amongſt other, that no fine, feoffement or other acte or actes hereafter to bee made, ſuffered or done, by the huſbande onely, of manors, landes, tenements, or hereditaments, beeing the inheritance, or the freeholde of hys wife, duringe the couerture betwene them: ſhall in any wiſe be or make any diſcontinuance thereof, or be preiudiciall or hurtfull to the ſaide wife, or to her heires, or to ſuch as ſhall haue right, title or intereſt by the ſame, by the death of ſuch wife or wiues: but the ſame wife and her heyres, and ſuche other to whome ſuche ryghte ſhall appertayne, after her deceaſe, ſhall and maye then lawfullye enter into all ſuche manours, landes,

tenements and hereditaments, according to their rightes & titles therein, any ſuch fine, feoffement, or other act to the contrarie notwithſtanding. Sithence yͤ making of which act, diuers doubts, queſtions, & ambiguities haue riſen, that is to ſay, whether the recoueries and deedes inrolled, which be in nature of fines, & whereupon women couert haue ben vſed to be examined, taken, had, or knowledged, aſwel win the city of London, as in many other cities, boroughs, & towns within the realme of England, ſhould bind al ſuch women couert, that ſhould happē to be examined vpon the ſame recoueries and deedes inrolled. In auoyding therefore all ſuch ambiguities & doubtes: Be it enacted by the king our ſoueraigne Lord, the Lords ſpiritual & temporal, & the commons in this preſent parliament aſſembled, & by aucthoritie of the ſame, that all recoueries, deedes enrolled, & releaſes heretofore knowledged & taken, or at any time hereafter to be taken & knowledged before the Maiors, aldermē, recorders, chamberlaines, or other head officer or officers, aſwel of the citie of London, as of any other citie, borough or towne corporate within the realme of Englande, hauing power & aucthoritie to take & receiue the ſame, according to the laudable vſages & cuſtomes of yͤ ſaid cities, boroughs & towns and euery of them, ſhal be, ſtand, & remayne of like force, ſtrength, & effect, to all intents and purpoſes, as they or any of them were

before

before the making of the ſaid acte in the ſaid xxxij.yere of our ſaid ſoueraigne Lord:any thing in the ſame conteined to the contrarie in any wiſe notwithſtanding.

¶ An acte againſt Vſurie. Anno 37. H.8. cap.9.

¶ Vſurie 6.

WHere before this tyme, diuers & ſundry actes, ſtatutes, and lawes haue ben ordeyned, had and made wythin his Realme, for the auoiding & puniſhment of Uſurie, bǽing a thing vnlawful, & of oher corrupt bargaines, ſhifts, & chiuances, which actes, ſtatutes and lawes, ben ſo obcure & darke in intents, wordes, & termes, and vpon the ſame ſo many doubtes, ambiuities, and queſtions haue riſen & growen, and the ſame actes, ſtatutes, & lawes ben of o little force or effect, that by reaſon thereof, litle or no puniſhment hath enſued to the offendors of the ſame, but rather hath enouraged them to vſe the ſame. For reformation whereof, be it enacted by the kinge our ſoueraigne lord, by thaſſent of the lords piritual and temporal, and the commons in hys preſent parliament aſſembled, and by he aucthoritie of the ſame, that all & euery he ſayde actes, ſtatutes, and lawes heretofore made, of, for, or concerning Uſurie, hiftes, corrupt bargaines, and cheuiſances, and

and euery of them, and al peines, orfaitures & penalties concerning the ſame, and euery part thereof, ſhall from henceforth bee vtterly voide and of none effect, to al intents, conſtructions and purpoſes.

¶ And be it further enacted by the auctoritie aforeſaid, that no perſon nor perſons, of what eſtate, degree, or condicion ſoeuer he or they be, from and after the laſt day of Januarie next comming, ſhal by hym ſelfe, factour, attourney, ſeruant or deputie, ſell his marchandiſes or wares to any perſonne or perſonnes, and within three monethes next after, by him ſelfe, factour, attourney, deputie, or by any other perſon or perſons to his vſe and behoofe, but the ſame marchandiſe or wares, or any part or parcel thereof, vpon a leſſer price, knowing th[e] to be the ſame wares or marchandiſes, tha[t] he before did ſo bargaine and ſell, vpon th[e] paines and forfaitures hereafter limitted i[n] this eſtatute.

¶ And be it alſo enacted by the ſame auc[tho]ritie, that no perſō nor perſons, of wha[t] eſtate, degree, quality, or condicion ſoeuer h[e] or they be, at any time after the ſaid laſt da[y] of Januarie next comming, by way or mea[n] of any corrupt bargaine, loan, exchange, che[ui]uiſance, ſhift, intereſt, of any wares, mar[]chandiſes, or other thing or things whatſ[o]euer, or by any other corrupt or deceiptfu[l] way or mean, or by any couin, ingin, or di[ſ]ceiptfull way or conueyaunce, ſhall ha[ue]

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receiue, accept oꝛ take in lucre oꝛ gaines, foꝛ the foꝛbearing oꝛ geuing day of payment of one whole yere, of & foꝛ his oꝛ their money oꝛ other thing, than ſhalbe due foꝛ the ſame wares, marchādiſe, oꝛ other thing oꝛ things aboue the ſumme of x.li. in the hundꝛed, & ſo after that rate & not aboue, of & foꝛ a moꝛe & leſſe ſūme, oꝛ foꝛ a longer oꝛ ſhoꝛter time, & no moꝛe oꝛ greater gaine oꝛ ſumme there vpon to be had, vpon ẏ paines & foꝛfaytures hereafter in this act mēcioned & conteined.

¶And be it further enacted by aucthoꝛity afoꝛeſaid, that if any perſon oꝛ perſons, at any time after the ſaid laſt day of Januarye, do bargain & ſell, oꝛ lay to moꝛgage by any way oꝛ mean, any manoꝛs, lāds, tenements, oꝛ hereditaments, to any perſon oꝛ perſons, vpon condicion of payment oꝛ non payment of any ſumme oꝛ ſūmes of money, to be had, paied, oꝛ made, at any day certein, oꝛ befoꝛe any ſuch day by him that ſhall ſo bargaine, ſell, oꝛ lay to moꝛgage, the ſame manours, landes, tenements, oꝛ hereditamentes, that the ſame perſon oꝛ perſons, to whom any ſuch manoꝛs, lands, tenements, oꝛ hereditaments, ſhalbe ſo bargained, ſold, oꝛ laied to moꝛgage, ſhal not by reaſon thereof, haue ne take in lucre oꝛ gaines of ẏ iſſues, reuenues & pꝛofits of ẏ ſame manoꝛs, lāds, tenemēts, oꝛ hereditamēts, aboue the ſumme of x.li. in the hundꝛeth foꝛ one whole yere, & ſo after ẏ rate aboueſaid, foꝛ a moꝛe oꝛ a leſſer ſūme, oꝛ foꝛ a longer oꝛ ſhoꝛter time, and no moꝛe

noꝛ

nor otherwiſe, vpon the paines, forfaitures
& penalties hereafter in this preſēt eſtatute
limitted and expreſſed.

¶ And be it further enacted by the autho-
ritie aforeſaid, that if any perſon or perſons
of what eſtate, degree, qualitie, or condicion
ſoeuer he or they be, at any time after the
ſaide laſt day of Januarie next comminge
ſhal do any act or actes, thing or things, cō-
trarie to the tenour, forme, and effect of thi
eſtatute, or any clauſe, article, or ſentenc
conteined in the ſame: that then all & euer
offender & offenders therein, or in any par
thereof, ſhal forfait & loſe for euery ſuch of-
fence, the treble value of ye wares, marchan
diſes, & other thing or things, ſo bargained
ſold, exchanged, or ſhifted, & the treble valu
of the iſſues & profits of the ſaid manours
lands, tenements and hereditaments, ſo ha
taken, or receiued, by reaſō of any ſuch bar
gaine, ſale, or morgage, & alſo ſhal haue an
ſuffer impriſonment of his bodie, and mak
fine and raunſome at the kings will & plea
ſure. The moitie of which forfaiture of th
ſaid treble value ſhalbe to the king, & the o
ther moitie to him or them that will ſue f
the ſame in any of the kings courts by act
on of debt, bill, plaint, or information,
which action, bill, plaint, or information,
wager of law, eſſoine, or protection ſhal b
admitted or allowed.

¶ Prouided alway & be it enacted by t
aucthoritie aforeſaid, that this acte nor a

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thinge therein conteyned, ſhall not in any wiſe extend to any lawfull obligation, indorced with a condicion, nor to any ſtatute or recogniſance made and to be made, for the payment of a leſſer ſumme, ſo that the ſame obligation, ſtatute, or recogniſance, be made for a true, iuſt, and perfite debt, or for the performance of any other true couenauntes made or to be made, vpon a iuſt and true intent had betwene the parties, other then in caſes of vſurie, intereſt, corrupt bargaines, ſhift, or cheuiſance: ne yet ſhal extend to any recouerie, fine, feoffement, releas, confirmation, or graunt, made or to be made vpon condicion with a true intent: other then to ſuch recoueries, fines, feoffements, releaſes, confirmations, and grauntes, as ſhall be made vpon condicion, extending to vſurie, intereſt, corrupt bargaines, ſhiftes or cheuiſance: any thing in this eſtatute conteined, or any law, ſtatute, or ordinance heretofore had, vſed or made, to the contrary, notwithſtanding.

This acte was repealed by a ſtatute made Anno 5. E. 6. cap. 20. and thereby was prohibited & puniſhed the lending, geuing, letting out, deliuering, or forbearing any ſumme &c. for any maner vſury, increaſe, lucre, gain or intereſt to be had, receiued or hoped for &c. which ſtatute is alſo repealed and this reuiued Anno 13. Eliz. ca. 8. which followeth hereafter.

¶An acte for Tenures holden in Capite, Anno primo E.6.cap.4.

¶ Tenures 11.

WHere befoꝛe this tyme, ambyguities,queſtions, and doubtes haue bene moued and ſtirred in diuers and ſundꝛy the kynges courtes of recoꝛd, whether ſuch honours,caſtels, manoꝛs,lands,tenements and other hereditamentes are holden of the kinge in Capite, which any his louing ſubiectes do holde by knightes ſeruice,ſocage oꝛ other ſeruices of the kinge, as of hys Duchies,Earledomes, Baronies, honoꝛs caſtels,manours, landes,tenementes, fees and ſeigniouries, whiche haue come to the handes and poſſeſſion of diuers of his highneſſe moſt noble pꝛogenitoꝛs, by attainder of treaſon,miſpꝛiſion of treaſon, attainder of Premunire and pꝛouiſion had and done b acte of parliament,by verdict,confeſſion,cōuiction,oꝛ vtlagarie, and offices oꝛ no offyces thereupon found, oꝛ by the diſſolution ſurrender,oꝛ geuing vp to the kinge, oꝛ t any his noble pꝛogenitoꝛs, of any religiou oꝛ eccleſiaſticall houſes oꝛ places, oꝛ of an manours,lands,tenements,and other here ditaments, to any of the ſame relygious eccleſiaſticall houſes oꝛ places, in any wy apperteyninge oꝛ belongynge oꝛ no . B meane

meanes of which doubt ſo moued, his ſayde humble and obedyent ſubiects and tenants haue bene heretofore much vnquyeted, moleſted, and greued: wherefore the king our ſoueraigne Lord, mynding and entirely deſiring the quyetnes of his ſaid ſubiectes, and that the certaintie of his lawes in that behalfe myght be knowen and declared to his ſaide louynge ſubiectes. For a playne declaration and reſolution to bee had, of, or and concerninge the premiſſes, at the humble peticion and ſuyte of the Lordes and Commons in thys preſent Parlyament aſſembled, doth ordeyne, declare, and enact, by the aſſent of the Lordes ſpiritual and temporall, and of the Commons in thys preſent Parlyament aſſembled, and by the aucthoritie of the ſame, that all ſuche Honours, Caſtelles, Manours, landes, tenementes, and other hereditamentes, and euery of them, which nowe bee, or at any tyme hereafter ſhalbee holden of the kinge, or of anye of hys heires & ſucceſſours, by any of his ſayde ſubiectes by Knightes ſeruice, Socage, or otherwiſe, as of any of his or their Dukedomes, Earledomes, Baronies, Caſtells, Manours, landes, tenementes, fees, or ſigniories, whyche bee come to the kinge or hys moſt noble progenitours, or hereafter ſhall come to the kinge, hys heires & ſucceſſours, by meanes of anye ſuche attaynder, conuyction, vtlagarie,

or

oꝛ of any ſuch diſſolution, ſurrender, oꝛ geeuing vp of any religious oꝛ eccleſiaſticall houſes oꝛ places, oꝛ of any manoꝛs, landes tenements, oꝛ hereditaments, to any of th ſaide religious oꝛ eccleſiaſticall houſes o places, in any wiſe belonging oꝛ appertaining, ſhal not from henceforth be adiudged deemed, taken, oꝛ conſtrued to any intent conſtruction oꝛ purpoſe, to be holden in Capite, oꝛ as tenure in Capite: any ambiguitie queſtion oꝛ doubt heretofoꝛe moued to th contrarie notwithſtanding. ‡ See a like matte Magna charta cap. 31.

¶ Prouided alwayes, & bee it enacted b the aucthoꝛitie afoꝛeſaide, that this act o any thing therein contained, ſhall not in a nie wiſe bee pꝛeiudiciall ne hurtfull to th king, his heires oꝛ ſucceſſoꝛs, to, foꝛ, oꝛ con cerning any wardſhip, liuery, pꝛimer ſeiſi fine foꝛ alienation, oꝛ to oꝛ foꝛ any oth pꝛofite oꝛ aduantage which now is come, hereafter ſhall oꝛ may come, fall, oꝛ grow to the king, his heires oꝛ ſucceſſoꝛs, by from any perſon oꝛ perſons, whiche now doth, oꝛ hereafter ſhall holde any honour ſeignioꝛies, caſtels, manours, landes, ten mentes oꝛ other hereditamentes of the kin in chiefe, as of his perſon, oꝛ of any oth his auncyent poſſeſſions, and beeing n come to the kinge by any ſuche attainde confeſſion, conuyction, vtlagarie, diſſol tion, geeuing vp, oꝛ ſurrender, as bee aboueſaide.

¶ Pꝛ

¶Prouided alwaies, and be it enacted by the aucthoritie aforeſaid, that this preſente act, or any thing therein contained, or ſpecified, ſhal not in any wiſe, or by any meanes geue any aduantage, libertie, or profite to anie tenaunt or owner in fee ſimple, of anie honours, manours, landes, tenementes, or other hereditaments, which haue heretofore ſued any ſpecial or general liuerie, & Ouſter le maine, out of the handes of the king, or of any his noble progenitors, of any honours, manours, lands, tenementes, or other hereditamentes, by what tenure or ſeruice they were, or be holden: or that haue, or ſhal confeſſe, by any matter of recorde, anye tenour in chiefe, of the kinge, but that they, their heires and aſſignes, ſhal haue and holde the ſame manours, landes, tenementes, and other hereditamentes, in like manner and fourme, as they did before the makinge of this preſent act, and as though this preſent act had neuer bene had ne made, any thing aboue declared and enacted to the contrarie notwithſtanding.

¶ An acte for the continuance of actions after the death of any king.an.1.E.6.cap.7.Diſcontinuance of proces.2.

FRom henceforth by the death, or demiſe of the kinges maieſtie that now is (whoſe life almighty god long preſerue, kepe and maintaine in his moſt royal eſtate) nor by the death or demiſe of any that hereafter ſhall be king of this Realme, any action, ſuit, bill, or plaint, now or that hereafter ſhall depend betwene partie and partie, in anye of the courtes aforeſaid. § S. the kinges courtes, and other courtes of recordes, ſhall not in anye wiſe be diſcontinued, or put wout day. But that the proceſſe, plees, demurres, and continuances in euery action, actions, ſuites, billes, or plaintes, which now or that hereafter ſhall depend, ſhall ſtand good and effectuall & be proſecuted & ſued forth in ſuch maner and fourme, and in the ſame eſtate, condition, and order, as if the ſame king had liued, or continued in full life, the death or demiſe hereafter of anie king of this Realme notwithſtanding.

¶ And that all and all manner of iudiciall proceſſe that hereafter ſhall be had, or purſued in the time of the raigne of anye other kinge, then raigned at the time of the purſuite of the originall, or other former proceſſe, ſhalbe made in the name of the kinge

that

that for the time ſhall raigne, and be king of this Realme, and that variance touching ÿ ſame proceſſe betwene the names of ÿ kings ſhall not be in any wiſe materiall, as concerning any default to be alleaged, or obiected therefore.

¶ And alſo be it further eſtabliſhed and enacted by the autoritie aforeſaid that all and euerie Aſſiſe of nouel diſſeiſin, Aſſiſe of mortdaunceſtour, Iuris vtrum, and attaint which at any time hereafter ſhalbe arraigned, commenced or ſued before anye of the kinges Iuſtices of Aſſiſe, ſhall not from henceforth bee diſcontinued or put without day, by reaſon of death, new commiſſion, aſſociation, or not comming of the ſame Iuſtices of aſſiſe, or any of them, but ſhal ſtand good and effectuall in the law, to all intents, conſtructions and purpoſes, the death, new commiſſion, aſſociation, or not comming of ÿ ſame Iuſtices, or any of them, in any wiſe notwithſtanding.

¶ And ouer that, be it ordeined and enacted by the autoritie aforeſaide, that albeit any demaundant or plaintife in anye maner of action, bill, or ſuite, ſhall fortune to bee made, or created, Duke, Archbiſhop, Marques, Earle, viſcount, baron, biſhop, knight, Iuſtice of the one benche or of the other, or Sergeaunt at lawe, dependinge the ſame action, bill, or ſuite, yet that notwithſtanding, that no writte, action, or ſuite, ſhall for ſuche cauſe in anye wiſe be

abatable oꝛ abated, but ſhall remaine in like foꝛce, goodnes, & ſtrength, as the ſame was befoꝛe: any lawe, oꝛ vſage to contrarie in any wiſe notwithſtanding.

¶ And alſo be it oꝛdeined and enacted by the aucthoꝛitie afoꝛeſaide, that albeit anye perſon oꝛ perſonnes being Juſtice of aſſiſe, Juſtice of Gaole deliuerye, oꝛ Juſtice of peace within any of the kings dominions, oꝛ being in anye other the kinges commiſſions whatſoeuer, ſhall foꝛtune to be made, oꝛ created Duke, Archbiſhop, Marques, earle, viſcount, baron, biſhop, knight, Juſtice of thone benche, oꝛ of the other, oꝛ ſergeant at lawe, oꝛ ſhirife, yet that notwithſtanding he and they ſhall remaine Juſtice and commiſſioner, and haue full power and aucthoꝛitie to execute the ſame in like maner & foꝛme as he oꝛ they might, oꝛ ought to haue done befoꝛe the ſame.

¶ And be it oꝛdained and enacted by the aucthoꝛitie afoꝛeſaid, that in al caſes, where any perſon oꝛ perſons heretofoꝛe haue ben oꝛ hereafter ſhalbe found guiltie, of any maner of treaſon, murther, manſlaughter, rape oꝛ other felony what ſoeuer, foꝛ the which iudgement of death ſhoulde oꝛ maye enſue and ſhall be repꝛied to pꝛiſon without iudgement at ẏ time geuen againſt him, her, oꝛ them ſo found giltie, that thoſe perſōs tha at any time hereafter ſhal by the kinges letters patentes be aſſigned Juſtices to deliuer the gaole, where any ſuch perſon oꝛ perſon[s]

ſons found guiltye ſhal remayne, ſhal haue full power and authoritie to geue iudgement of death againſt ſuch perſon ſo founde gilty & repried, as the ſame Juſtices (before whom ſuch perſon or perſonnes was, or were founde gilty) might haue done, if their commiſſion of Gaole deliuery had remained and continued in full force & ſtrength. And ouer that, that no maner of proceſſe, or ſuite made, ſued, or had before any Juſtices of aſſiſe, gaole deliuery, Oier and terminer, Juſtice of peace, or other of the kinges commiſſioners, ſhall, ne in any wiſe bee diſcontinued by the making & publiſhing of any newe commiſſion or aſſotiation, or by altering of the names of the Juſtices of aſſiſe, Goale deliuerie, Oier and terminer, Juſtices of peace, or other the kinges commiſſioners, but that the newe Juſtices of aſſiſe, Gaole deliuerie, and of the peace, and other commiſſioners may proceede in euerye behalfe, as if the olde commiſſions, and Juſtices, and commiſſioners had ſtill remained and continued not altered.

¶An acte whereby certayne Chaunteries, colledges, free chappels, and the poſſeſsions of the ſame, be geuen to the kinges maieſtie. Anno. 1. E. 6. cap. 14.

¶Monaſteries. 13.

The kinges moſt louing ſubiectes, the Lordes ſpirituall and temporall, and the commons in this preſent parliament aſſembled, cōſidering that a great part of ſuperſtition and errours in Chriſtian Religion, hath bene brought into the mindes and eſtimation of men, by reaſon of the ignorance of their very true and perfit ſaluation, through the death of Jeſus Chriſt, and by deuiſing and phantaſying vaine opinions of purgatorie, and maſſes ſatiſfactorie, to bee done for them which be departed. The which doctrine and vaine opinion, by nothing more is mayntained and vpholden then by the abuſe of Trentalles, Chauntries, and other prouiſions made for the continuance of the ſaid blindneſſe and ignoraunce. And farther conſideringe and vnderſtandinge that the alteration, chaunge, and amendement of the ſame, and conuerting to good and godlye vſes, as in erecting Grammer Schooles to the education of youth in vertue and godlineſſe

lines, the farther augmenting of the Uni=
uerſities, and better prouiſion for the poore
and needie, cannot in this preſent Parlia=
ment bee prouided, and conuenientlie done,
nor can not, ne ought to anie other manner
perſonne be committed, then to the kinges
highnes, whoſe Maieſtie, with, and by the
aduiſe of his highneſſe moſte prudent coun=
ſaile, can and will moſte wiſely, and beneſi=
ciallie both for the honour of God, and the
weale of his Maieſties realme, order, al=
ter, conuert, and diſpoſe the ſame. And cal=
ling further to their remembraunce that in
the Parliament holden at weſtminſter the
xxxvij. yeare of the reigne of our late So=
ueraigne Lorde kinge Henrie the eight, fa=
ther to our moſte dread and naturall So=
ueraigne Lorde the kinge that nowe is,
capit quarto. § It was ordeined, enacted,
and eſtabliſhed amongſt other thinges,
that all and ſinguler Colleges, free chap=
pelles, Chauntries, Hoſpitalles, Frater=
nities, Brotherheds, Guildes, and other
promotions, mencioned in the ſaide former
acte, had, or made to haue continuance in
perpetuitie for euer, and then beinge, or
that had, or oughte to bee contributorie
or chargeable to the payment of the firſte
fruites and tenthes, accordynge to the
lawes and ſtatutes in that behalfe had, and
made, by what name, ſurname, degree, or cor
poratiō, they or any of them were founded
ordeined eſtabliſhed, erected, named, called

or knowen, and all and ſinguler the manſion houſes, mannours, orchardes, gardeynes, landes, tenementes, paſtures, woods, waters, rents, reuerſions, ſeruices, commons, tithes, pencions, porcions, churches, chappels, aduowſons, nominations, patronages, annuities, rights, intereſtes, entries, conditions, leetes, courtes, liberties, priuiledges, fraunchiſes, and other hereditamēts whatſoeuer then appertaining, or belonging, or that did appertaine, or belonge, or were aſſigned, or appointed to any ſuch colledge, free chappel, chauntrie, hoſpitall, fraternitie, brotherhed, guilde, ſtipendarie prieſt, or other the ſayde promotions, or to anie of them, or accepted, knowen, or takē as part, parcel, or member of them, or of any of them: & to the ſaid colledges, chauntries, free chappels, hoſpitals, fraternities, brotherhed, guilde, ſtipendari prieſtes, or other promotions, or to anie o them vnited or annexed, which betwene th fourth day of Februarie in the xxvij. yere o the ſaid late kinges raigne, and the xxv. da of Decēber in the xxxvij. yere of his grace raigne, by reaſon of any entry, expulſiō, bar gaine ſale, or feoffemēt, fine, recouerie, leaſe or other conueiance thereof made, were diſſolued, determined, or relinquiſhed by any o the waies, meanes, or conueiances, mencioned in the ſaid acte, or otherwiſe, other the ſuch of them, as then were in the poſſeſſio of the ſaid late king, or that were graunte or aſſured by his licence, agreement, conſen

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oꝛ letters patents,to any perſon oꝛ perſons oꝛ then had bene lawfully obtayned, oꝛ recouered by any perſō,by anye foꝛmer right, oꝛ title.without fraude oꝛ couine, oꝛ by the kinges licence:ſhal from hencefoꝛth by auctoꝛitie of the ſame foꝛmer act, be adiudged and dœmed,and alſo bee in the verie actuall and reall poſſeſſion and ſeyſon of the ſayde late king and of his heires and ſucceſſours foꝛ euer,in as large and ample manner, as ỹ ſaide prieſtes,wardens,maſters, miniſters, gouernours,rulers,oꝛ other incumbents, oꝛ any of them,oꝛ the patrōs,donours,oꝛ foūders of any of them at any time ſithens the ſaid fourth day of Februarý in ỹ xxvij.yere afoꝛeſaide.had,occupied,oꝛ enioyed, oꝛ then had,occupied,oꝛ enioyed the ſame, and as though all and ſinguler the ſaide colledges, chaantries,hoſpitals,free chappels, fraternities,bꝛotherheds,guildes, and other the ſaide pꝛomotions, and the ſaide manoures, landes,tenementes,hereditamentes, and other the pꝛemiſſes,whatſoeuer they be, and euerie of them, had beene in the ſaide foꝛmer acte,ſpecially,particularly,& certainely, rehearſed, named, and expꝛeſſed, by expꝛeſſe woꝛdes, names, ſurnames, coꝛpoꝛations, titles,and faculties, and in their naturall kinds and qualities:the ſaid entries, expulſions,bargaines,ſales,ſines,feoffements,recoueries,oꝛ other aſſurance, and conueiance whatſoeuer they were,had oꝛ made (except befoꝛe in the foꝛmer acte excepted) to the

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contrarie notwithſtanding.
¶ And where alſo it was enacted & graū-
ted by the ſaide late king, by the ſayde
former acte, that the ſame late kinge du-
ring his natural life, might make and dy-
rect his commiſſion and commiſſiōs under
his great ſeale, to enter into al and ſinguler
ſuch and as manie Chauntries, free chap-
pelles, hoſpitalles, colleges, and other the
promotions, mentioned in the ſaide former
acte, and into all and ſinguler ſuch manors
manſions, houſes, meaſes, landes, tene-
ments, paſtures, woodes, waters, rentes,
reuerſions, ſeruices, poſſeſſions, and other
hereditamentes, whatſoeuer, or into anye
part or parcell thereof in the name, ſeaſon
and poſſeſſion of all the hereditamentes, an-
nexed, united, belonging, or appertaininge
to anie Chauntrie, hoſpitall, free chappell,
colledge, fraternitie, brotherhed, guylde
or other the ſaide promotions, or whereof
anie prieſtes, prouoſtes, gouernours, ru-
lers, or other incumbentes, of them, or a-
nie of them, by what name, ſurname, de-
gree, title, or corporation they, and euery of
them, or anie of them were founded, erec-
ted, ordeyned, eſtabliſhed, named, called, or
knowen, then had or enioyed, or that here-
after ſhoulde haue, or enioye to the ſayde
chauntries, hoſpitalles, free chappelles, col-
ledges, fraternities, brotherheddes, guyl-
des, or other the ſaid promotions, that then
were chargeable to the payment of the
firſt

firſte fruites and tenthes: and all colledges that were chargeable, or not chargeable to the ſayde payment of the firſte fruits, and tenthes as is aforeſayde, or to anie of them, as ſhoulde bee named, expreſſed and appointed in the ſaide commiſſion, or commiſſions, and to ſeaſe and take the ſame chauntries, hoſpitals, colledges, free chappels, fraternities, brotherheddes, guildes, and other the ſaid promotions, manoures, landes, tenements, and other the premiſſes, mencioned in the ſaid commiſſion or commiſſions, and in euerye of them, and euerie parte, parcell and member of the ſame into the kinges poſſeſſion and handes, to haue and to holde the ſame to the ſayde late kinge, and to his heires and ſucceſſours for euer, as by the ſayde former acte amongſt other thinges more at large appeareth. It is nowe ordained and enacted by the kinge our Soueraigne Lord with the aſſent of the lordes and commons in this preſent Parliament aſſembled, and by the auchoritie of the ſame, that all maner of Colledges, free Chappelles, and chauntries, hauing, being, or in Eſſe within fiue yeres nexte before the firſte daye of this preſent Parliament, which were not in actuall and reall poſſeſſion of the ſayde late king, nor in the actuall and reall poſſeſſion of the king our ſoueraigne lord that now is, nor excepted in ÿ ſaid former acte in fourme aboueſaide, other then ſuche as by

by the kinges commiſſions in fourme here-
after mentioned ſhall be altered, tranſpoſed,
or chaunged, and all manours, landes, te-
nementes, rentes, tithes, penſions, porcions,
and other hereditamentes, and thinges a-
boue mentioned, belonging to them or any
of them, and alſo all manours, landes, tene-
mentes, rentes, and other hereditamentes,
and thinges aboue mentioned by any maner
of aſſurance, conueiance, wil, deuiſe, or other
wiſe, had made, ſuffered, knowledged, or de-
clared, geuē, aſſigned, limitted, or appointed
to the finding of any prieſt, to haue continu-
ance for euer, and wherwith, or whereby a-
ny prieſt was ſuſtayned, mayntayned, o
foūd wͭin fiue yeres next before ẏ firſte day
of this preſent parliamēt which were not i
ẏ actual and real poſſeſſion of ẏ ſaid late kin
nor in ẏ actual & real poſſeſſion of our ſoue-
raigne Lord the king that now is, and alſ
all annual rentes, profites, and emolument
at any time within fiue yeares next befor
the beginning of this preſent Parliamen
employed, payed or beſtowed, toward, or fo
the maintenance, ſupportation, or finding
of any ſtipendarie prieſt, intending by any
act or writing to haue continuance for eue
ſhal by the aucthoritie of this preſent Par
liamēt, immediately after the feaſt of Eaſte
next comming, be adiudged and deemed, an
alſo be in the very actual and real poſſeſſio
and ſeaſon of the king our ſoueraigne Lor
and his heires, & ſucceſſours for euer, wͭou
an

any office or other inquiſition thereof to be had or found, and in as large and ample maner and fourme as the prieſtes, wardens, maſters, miniſters, gouernoures, rulers, or other incumbentes of them, or any of them, at any time within fiue yeres next before ẏ beginning of this preſent parliament, had, occupied, or inioyed, or now hath, occupieth, or enioyeth the ſame, and as though all and ſinguler the ſaid Colledges, free Chappels, chaunteries, ſtipendes, ſalaries of prieſtes, & the ſaid manours, landes, tenements, here=ditaments, and other the premiſſes whatſo=euer they be, and euery of them, were in this preſent acte ſpecially particularly, and cer=tainly rehearſed, named and expreſſed by ex=preſſe wordes, names, ſurnames, corporati=ons, titles and faculties, & in their natures, kindes and qualities.

¶ And ouer that be it ordained & enacted, by the authoritie of this preſent parliamẽt that where any manours, landes, tenemẽts, tithes, penſions, portions, rentes, profites, or other hereditamentes, by any manner of aſſurance, conueiance, will, deuiſe, or other=wiſe at any time heretofore had, made, ſuffe=red, knowledged or declared, were geuen, aſ=ſigned, or appointed, to, or for ẏ maintenãce, ſuſtentation, or finding of one prieſt, or of diuers prieſts for terme of certaine yeares yet continuing, and that any prieſt hath ben maintained, ſuſtained or found with ẏ ſame or with the reuenues or profits therof with

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in fiue yeres laſt paſt that the kinge, from the ſaide feaſte of Eaſter nexte comminge ſhall haue and enioy in euery behalfe, for and during all ſuche time to come, euerye ſuch and like thinges, tenements, hereditamentes, profites, and emolumentes, as the prieſt or prieſtes ought, or ſhould haue had for or toward, his, or their maintenaunce ſuſtenaunce, or finding, and for no longer, or farther time, nor for anye other profite, aduauntage or commoditie, thereof to be taken.

¶ Prouided alwaye and it is ordayned and enacted by the authoritie of this preſent Parliament, that when and aſſone as the time aſſigned, for the maintenaunce, ſuſtentation, or finding of the prieſt or prieſtes ſhall be expired and runne, that then it ſhal be lawfull to euery perſon and perſons, to whom any manours, landes, tenements, tithes, portions, penſions, rentes, and other hereditamentes, or any of them ſhould haue belonged, or appertained, if the ſaid former acte, and this acte had neuer bene had or made: to enter into, take, perceiue, haue, and enioy ẏ ſame without any maner of liuerie Ouſter le maine, petitiō, or other ſuite to be made to the king, in like maner, forme and condition, to all intentes, conſtructions and purpoſes, as though the ſaide former acte and this acte had neuer bene had, or made and as thoughe the kinge had neuer had any ſeaſon, or poſſeſſion thereof: any thing in

in the ſaide former acte, or in this acte, to the contrarie in anie wiſe notwithſtanding.

¶ And be it ordeined and enacted by the auctoritie of this preſent Parliament that the kinge our ſoueraigne Lorde, his heires, and ſucceſſours, from the ſaide feaſte of Eaſter next comming, ſhal haue, holde, perceiue, and enioy for euer, all landes, tenementes, entes, and other hereditamentes, which by ny maner of aſſurance, conueiaunce, willes, vill, deuiſe or otherwiſe at any time hereofore had, made ſuffered, knowledged, or eclared, were geuen, aſſigned, or appointed, o go or be employed wholly to the finding r maintenaunce of any anniuerſarie, or obite, or other like thinge, intent or purpoſe, r of any light or lampe, in anie church or happell, to haue continuaunce for euer, hich hath bene kept or maintained with fiue yeres next before the ſaide firſt day of is preſent parliament.

¶ And alſo that where but parte of the ues or reuenues of any manours, landes, nementes, rentes, or other hereditaments, ith by any of the waies & meanes aboueide, bene geuen, aſſigned, or appointed to e beſtowed or employed to the findinge maintenaunce of anie anniuerſarie or ite, or other like thinge, intente, or purſe, or of anie lighte or lampe in anye urch or chappel, and to haue continuaunce r euer, that then our Soueraigne lord the

the king ſhal from the ſaid feaſt of Eaſte
next comming, for euer haue, perceiue, an
enioy ſuch ſummes of money, that in a
ny one yere with in fiue yere next before th
firſt day of this preſent parliamt hath ben
expended and beſtowed about the findin
or maintenance of any ſuch anniuerſary, o
obit, or other like thing, intēt, or purpoſe o
any light or lampe, to him, his heires, & ſuc
ceſſors for euer, as a rent charge to be paie
yerely at the feaſtez of ſaint Michaell th
Archangell, and the annūtiation of ou
Lady Saynte Marie the virgin, by euen
portionz in the kinges courte, of Augmen
tations, and reuenues of his crowne, or in
ny other courte or courtes, as the king
hereafter ſhal appointe. And that it ſhal
lawfull to our ſaide ſoueraigne Lorde th
king, his heires and ſucceſſors, for non pay
ment of any ſuch ſumme or ſummes, of m
ney, to diſtraine in the ſaid manours, land
and tenements of the iſſues and reuenue
whereof the ſaide annyuerſary, or obite,
other like thing, or any ſuch lighte or lam
was found, ſuſtained, or maintained. A
that for lacke of ſufficient diſtreſſe, in or b
on any of the premiſſes, whereof any of t
ſaid yerely rentes, or ſummes of mon
ſhould be paied by the ſpace of on mone
next after that any of the ſaide rents ſhou
be paied, & be not paid within the ſaid m
neth: that then it ſhalbe lawfull to and f
our ſoueraigne Lord the king, his heire
an

and ſucceſſors,by vertue of this preſent act, to enter into , and to haue and poſſeſſe as much of the landes,tenementes, and heredytamentes, whereof the ſaide rent or rentes ſhould bee leuied or paied , as the rent or rents that ſhould be leuied or payed out of the ſame,doth or ſhall amount or come to in yearely value, and the ſame landes, tenementes,and hereditamentes, to holde and keepe,and to haue ‡ to ‡ our ſaid ſoueraigne Lord the king,his heires, and aſſignes for euer, or for ſuch eſtate as our ſoueraigne Lord the kinge, his heires or ſucceſſours, had,or ought to haue had, of,or in the ſaide rent or rents.

¶ And it is alſo ordeined & enacted by the aucthoritie of this preſent parliament,that our ſoueraigne Lord the king,ſhal from the ſaid feaſt of Eaſter next comminge, haue, perceiue, and enioy all and ſinguler ſuche ſummes of money,profites,commodities,& emoluments,which by vertue of any maner of aſſurance, conueyaunce, compoſicion, will,deuiſe, or otherwiſe, heretofore haue bene geuen,aſſigned,limitted,or appointed to haue continuance for euer, which in any one yere,within fiue yeres next before the beginning of this preſent parliament,haue bene paied , beſtowed, or employed, by any maner of corporations, guyldes , fraternities,companies,or felowſhips of miſteries, or crafts or any of them,being in England, wales, and other the kinges dominions, or

by the Maſters, wardeins, gouernours, or other officers or miniſters, or by the maſter, wardein, gouernour, or other officer or miniſter of them or any of them, toward or about the finding, maintenance, or ſuſtentacion of any prieſt or prieſtes, of any anniuerſarie or obyte, lampe, light, or lightes, or other like thing, as is aforeſaid, to our ſaid ſoueraigne Lord the kinge, his heires and ſucceſſours for euer, to be payed yerely as a rent charge, at the feaſtes of Saint Michaell the Archangell, aud the Annunciation of our Ladie, by euen porcions, in the kings Court of Augmentations, and reuenues of his Crowne, or in any other court, or courtes, as the kinge hereafter ſhall appoint. And that it ſhalbee lawfull to our ſaide ſoueraigne Lord the kinge, his heires and ſucceſſours, for non payment of any such ſummes or ſumme of money, profite, commoditie, or emolument, or for non payment of any of them, to diſtreine in all the manors, landes, and tenements of euery ſuch craftes, corporations, guildes, fraternities, companies, or fellowſhips of miſteries or craftes, or anye of them, by whom or by the maſters, wardens, gouernours or other officers, or miniſters, or maſter, wardein, gouernour or miniſter, of the which any ſuch ſummes or ſumme of money, profit, commodytie or emolument, haue or hath beene paied, beſtowed or employed. And that all and euery of the ſaide ſummes of money

money, profites, commodities, and emolu=mentes, ſhall from the feaſt of Eaſter next comming, without any maner of inquiſicion or office to bee had or found, be iudged and deemed to be in the actuall & reall poſſeſſion of our ſaid ſoueraigne Lord the kinge, in like maner and fourme to all intentes, con=ſtructions, and purpoſes, as if the ſame had bene particulerly and ſpecially mencioned in this preſent acte.

¶ And farthermore be it ordeyned & enac=ted by aucthoritie aforeſaid, that the kinge our ſoueraigne Lorde, ſhall from the ſayde feaſt of Eaſter next comminge, haue and enioy to him, his heires and ſucceſſors for euer, al fraternities, brotherheds, & guildes, being within the Realme of Englande and Wales, and other the kings dominions, and all manors, lands, tenements, and other he=reditaments belonginge to them or any of them (other then ſuch corporations, guilds, fraternities, companies and felowſhipps of miſteries or craftes, and the manours, landes, tenementes, and other heredita=mentes, pertayning to the ſaide corpora=tions, guyldes, fraternities, companies, and felowſhippes of miſteries or craftes, aboue mencioned,) and ſhall by vertue of this acte bee iudged and deemed in actuall & reall poſſeſſion of our ſaide Soueraygne Lord the kinge, his heires and ſucceſſours, from the ſaid feaſt of Eaſter next comming for euer, without any inquiſicions or office

thereof to be had or found &c. diuers things touching commiſſions, for the ſuruey and diſpoſicion of the premiſſes.

¶And alſo be it ordeined and enacted by thaucthoritie of this preſent Parliament, that our ſoueraigne lord the king ſhal haue and enioy, all ſuch goodes, cattells, iewels, plate, ornaments, and other moueables, as were or be the common goodes of euery ſuch colledge, chauntrie, free chappell, or ſtipendarie prieſt, belonging or annexed to ỷ furniture or ſeruices of their ſeueral foundacions, or abuſed of any of the ſaid corporatiō in the abuſes aforeſaid, the propertie wherof was not altered nor chaunged before th eyght day of December, in the yeare of ou Lord God M.D.xlvij.

¶And it is alſo ordeyned and enacted b thaucthority of this preſent parliamēt, tha all ſuch debts & ſummes of money, as ough or ſhould without fraud or couin hereafte be paied of the money or goods of any of th ſaid colleges, due or payable by reaſon any contract, ſpecialtie, or promiſe, had made before the ſame eyght day, ſhal truely and fully be payed by the Treaſourer the kinges Court of thaugmentacions an reuenues of his crowne, or by the treaſor or recepuer of any other Court, to which any of the premiſſes ſhalbe appointed, of th kinges treaſure, being in hys or they handes, with as conuenient ſpede as th ſame may be paied.

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¶ Prouided alwayes, and be it ordeyned and enacted by the aucthoritie aforeſaid, that this act or any article, clauſe, or matter conteined in the ſame, ſhal not in any wiſe extende to any colledge, hoſtell, or hall, beeing within either of the Uniuerſities of Cambridge and Oxforde, nor to any chauntrie founded in any of the colledges, hoſtelles or halles, being in the ſame vniuerſities, nor to the free Chappell of Saint George the Martir, ſcituat in the Caſtel of Wyndſor, nor to the Colledge called ſaint Mary colledge of Wyncheſter, beſides Wyncheſter, of the foundation of Biſhop Wykham, nor to the colledge of Eaton, nor to the paryſhe church, commonly called the Chappel in the ſea in Newton, within the Iſle of Ely, in the Countie of Cambridge, nor to any mannors, landes, tenementes, or hereditamentes, to them or to any of them pertayning or belonginge, nor to any Chappell made or ordeyned for the eaſe of the people, dwelling diſtant from the Pariſh churche or ſuch lyke Chappel, whereunto no more landes or tenements, then the churchyard, or a litle houſe or cloſe, doth belong or perteine, nor to any Cathedrall church or colledge, where a Biſhops ſea is within thys Realme of England, or in Wales, nor to the manors, landes, tenements, or other heredytamentes, of any of them (other then to ſuch chauntries, obytes, lightes, & lampes, or any of them, as at any time within fyue

yeres next before the beginning of this pre‑ſent parliamēt, haue ben had, vſed, or main‑teyned within the ſaid Cathedral churches, or within any of them, or the iſſues, reue‑nues, or profites of any of the ſaid cathedral churches, to which chaūtries, obites, lightes & lampes, it is enacted by the aucthority a‑foreſaid, that this act ſhall extend.

¶ And it is ordeyned and enacted by the aucthoritie aforeſaide, that our ſoueraigne Lord the king at any time during his lyfe, (which God long preſerue) may at his wil and pleaſure, alter and chaunge the name or names, of all and ſinguler chauntries, and the foundations of the ſame, being in any of the colledges, hoſtelles, or halles, of any of the ſaide Uniuerſities, according as to his Godly wyſedome ſhalbe thought meete and conuenient.

Sauing to all and euery perſon and per‑ſons, bodies politike and corporate, their heires and ſucceſſors, and the heires & ſuc‑ceſſours of euery of them, (other then the Maſters, Wardeins, Miniſters, gouernors rulers, prieſtes, incumbents, felowes, and brethren of the ſaide colledges, chauntries free chappells, or other the premiſſes, gee‑uen, limited, or appointed to the kinge by this acte, and the ſucceſſours of them, and euery of them, and other then ſuch as bee or pretende to bee foundours, patrons, or donours of the premiſſes, or any of them, or of any part or parcell thereof, & the heires

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ſucceſſours and aſſignes of euery, or any of them: and other then ſuch as bee, or were feoffees, recouerees, conuſees, grauntees, or deuiſees, of any of the premiſſes, to, or for any of the vſes, purpoſes, or intents aboue mencioned, or to the vſe of any of the ſayde colleges, free chappels, chauntries, or other the premiſſes, geeuen, limitted, or appointed by this acte to the king, or to the intent to employ the rentes or profites thereof, to the vſe of Maſters, rulers, incumbents, or myniſters of them, or any of them: and other then ſuch perſon and perſons, and bodyes politike and corporate, their heires, ſucceſſors and aſſignes, as claime or pretend to haue eſtate, right, title, intereſt, vſe, poſſeſſion or condicion, of, in, or to the premiſſes, or any part or parcel thereof, by reaſon of any feoffement, fine, bargaine and ſale, or by any other wayes, meanes, or conueighance, to them made, of any eſtate of inheritance, without the ſaid late kinges licence, aſſent, conſent, or agreement, and without the lycence, aſſent or agreement of the kinges Maieſtie that now is, by anye of the ſaide deanes, maſters, wardeins, myniſters, gouernors, rulers, prieſtes, or incumbentes, or by the foundours, donours, or patrons of them, or of any of them, all ſuch right, title, clayme, poſſeſſion, intereſt, rentes, annuities, commodityes, commons, offices, fees, leaſes, lyueries, lyuinges, pencions, porcions, debtes, duities, and other profites,

which they oꝛ any of them lawfully haue, oꝛ of right ought to haue, oꝛ might haue had in, of, oꝛ to any of the pꝛemiſſes, oꝛ in, of, oꝛ to any part oꝛ parcel thereof, in ſuch lyke maner, foꝛme, & condicion, to all intentes, reſpectes, conſtructions, and purpoſes, as if this acte had neuer bene had noꝛ made, and as though the ſaide chauntries, colledges, and other the ſaid pꝛomocions had ſtill continued & remayned in their full being. And sauinge to all and euery patron, donour, foundour, oꝛ gouernour, of any ſuche colledge, chauntrie, free chappell, ſtipendarye pꝛieſtes, and other the pꝛemiſſes, geuen, limitted, oꝛ appointed to the king by this act, and the donour, feoffoꝛ, and geuer of the afoꝛeſaide landes, tenementes, oꝛ hereditaments, to them oꝛ any of them, oꝛ to anye vſes oꝛ purpoſes befoꝛe mencioned, all ſuch rentes ſeruices, rentes ſecke, rentes charge, fees, annuities, pꝛofites, and offices: and alſo leaſes foꝛ terme of lyfe, lyues, and yeares, whereupon the accuſtomed rent oꝛ moꝛe is reſerued: as they oꝛ any of them lawfully had, perceyued, and enioyed, in, out, oꝛ of, any the ſaid pꝛomociõs, oꝛ out of any of the ſaid landes, tenements oꝛ hereditamentes, befoꝛe the firſt day of this pꝛeſent parliament.

And ouer that it is oꝛdeined &c. that thoſe then lyuing which had receiued any money foꝛ any of the pꝛemiſſes, ſhould repay it, & of one clauſe ỹ the pꝛemiſſes ſhalbe in the ſurvey and oꝛder of the court of Augmẽtation.

And

¶ And it is further enacted by aucthoritie aforeſaide, that if any of the ſaid Maſters, wardeins, Miniſters, rulers, gouernours, prieſtes, incumbents, or owners of any ſuch college, chauntrie, free chappel, or of any the premiſſes, geuen, limited, or appointed to the king by this act, or of any of them, ſithes the xxiij. day of Nouember, in the xxxvij. yeare of the Raigne of the ſaid late kynge, haue made any leaſe vnder his or their common ſeale or otherwiſe, for terme of yeares, life, or liues, of their ſaid colledges, chauntries, free chappels, or of other the ſame premiſſes, or of any part thereof, or of any manors, lands, tenements, poſſeſſions, or hereditaments, whatſoeuer they be, to them, or to any of them, vnited or annexed, belōging or appertayning, vpon the which leaſes, the vſuall and olde rentes and fermes accuſtomed to bee yelden and reſerued, or more, by the ſpace of twentie yeares, next before the ſaid xxiij. day of Nouember, not reſerued & yelden, ſhalbe vtterly voide and of none effect. And that all other leaſes and graunts heretofore made of any the premiſſes, geuen limitted, or appointed to the kinge by thys acte, ſhalbe as good, auaylable, and effectuall in the law, to all intentes, conſtructions & purpoſes, as if this act had neuer ben had or made: any thing in this act, or any other act heretofore had or made to ỹ contrary thereof in any wiſe notwythſtanding.

¶ Prouided alwayes, & be it further ordeyned

deyned and enacted by the aucthoritie afore ſaid, that this act or any thinge therein con teined, ſhall not extende to any manors landes, tenements, poſſeſſions, or heredita ments, which the ſaide maſters, wardeins miniſters, chauntrie prieſtes, incumbentes or other the ſaid gouernors, officers, miniſ ters or rulers of the premiſſes, or of any o them, hath or is, or hereafter ſhal haue or b poſſeſſed or ſeiſed of, in fee ſimple, fee tayl general or ſpecial, for terme of lyfe, term of yeres, or otherwiſe, to his or their own propre vſes, by inheritance or purchaſe: an not being at any time vnited or annexed t his or their ſaide colledges, free chapelles chauntries, or other the premiſſes, geuen limitted, or appointed to the king by thi acte, nor ſhall extend to any manors, landes tenements, poſſeſſions, rentes, annuities and yearely pencion or porcions, or to an yearely ſumme or ſummes of money, beein not vnited, or parcel of any of the ſaide col ledges, and other the premiſſes aforeſaid or of anye of them heretofore geuen o graunted by the ſaide late kinge, or geue or graunted, or hereafter to bee geuen o graunted by the king our ſoueraigne Lord to any of the ſaid Deanes, Maſters, war deins, Miniſters, Chauntrie prieſtes, In cumbentes, Gouernors, or Rulers of th premiſſes, or of any of them for terme o lyfe onely, vnder his great Seale of Eng lande, or vnder the ſeale of the Court of th

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Augmentacions and reuenues of the kings crowne, or any other of the kinges ſeales of any of his courts: any thing cōteined in this act to the cōtrary in any wiſe notwſtanding

¶ Prouided alway, and bee it enacted by aucthoritie aforeſaid, that aſwel all & euery patron, donour, foundour, and geeuer of any of the ſaid promocions or premiſſes, or geeuer, donour, or feoffor of any their lāds, tenements, poſſeſſions, or other hereditamēts, as all and euery perſon and perſons, bodies politike or corporate, which before the makinge of this acte, lawfully without fraud or couine, had or enioyed any manner of rent, or other yearely profites to bee taken, perceyued or had, of any chauntries, colledges, free chappels, or other the premiſſes, geeuen, limitted or appointed to the kinge by this acte, or out of any manours, landes, tenementes, or other poſſeſſions of them, or any of them, ſhal haue and enioy the ſame, in lyke manner and fourme, as they ſhould and ought to haue done, if the ſayde colledges, chauntries, freechappels, & other the premiſſes, geeuen, limitted, or appointed to the king by this acte, had ſtill remayned and continued in Eſſe, and full being: any thing in this act mencioned to the contrary in any wiſe notwithſtanding.

¶ Prouided alſo, & be it enacted &c. a dyſcharge of thoſe firſt fruites, which after the firſt day of thys parliament ſhould growe due for the premiſſes.

¶ Prouided

¶Prouided alwaies, & be it enacted by ye aucthoritie afore ſaid, yt al ſuch rents, ſeruices, iſſues, profits & other ſummes of money paiable out of, or for any of the premiſſes, or any of them, in the kings court of his Exchequer, ſhal continue, & be continually and yerely leuied, charged, or paied in the ſame court, in ſuch maner & forme, as heretofore hath bene vſed: any law, cuſtome, vnitie of poſſeſſion in the kinges highnes, or other thing to the contrary notwithſtanding: and as though the ſaide promotions, manors, landes, tenements, and other the premiſſes had not come to the kinges handes or poſſeſſion.

¶And be it farther enacted by the aucthoritie aforeſaid, that al & euery letters patents made by the ſaid late king Henry the eyght, or by the kings Maieſtie that now is, or hereafter to be made by his highnes to any perſon or perſons, or to any Archbiſhop or Biſhop, of any of the ſaid colleges, chauntries, free chappells, or other the premiſſes, or any part or parcel of them, or of any lāds tenements, or hereditaments, belonging or apperteyning, or that did belong or appertaine to them, or to any of them. And all fines, giftes, grauntes, feoffements, recoueries, & al other aſſurances and conueyances thereof had or made, by the aſſent, conſent or licence vnder the great ſeale of England of the ſaid late king Henry the eight, or of the kings Maieſtie yt now is, to any perſon

or per-

oꝛ perſons,bodies politike oꝛ coꝛpoꝛate, by any chauntrie pꝛieſt, maſter,wardein, myniſter,ruler,gouernoꝛ,oꝛ other hauing any of the ſaid pꝛomotions, of any of the ſaide colledges,chauntries,free chapels, oꝛ other the pꝛemiſſes,oꝛ of any of them, oꝛ of any part, parcel,oꝛ member of the ſame, ſhall ſtand and be in their foꝛces and effectes,and ſhalbe good and effectuall in the lawe, foꝛ ſuch eſtates and intereſtes, geeuen, graunted,limited,oꝛ appointed,in any of the giftes graunts,aſſurances,oꝛ conueyances thereof had oꝛ made,accoꝛding to their purpoꝛts, foꝛme,and maner, and accoꝛding to the true intent and meaning of the ſame aſſurances, and ſhalbe by aucthoꝛitie of this acte good, perfite, and auaylable aſwell agaynſt the kinge,his heires and ſucceſſours,as againſt the ſaid chauntrie pꝛieſtes,wardeins, maſters, rulers,gouernoꝛs,and other hauinge any of the ſaide pꝛomocions and their ſucceſſoꝛs,and the ſucceſſoꝛs of euery of them: alſo againſt the foundours, donours, and patrons of the ſame, and the oꝛdinarie of them,and euery of them,and the heires and ſucceſſoꝛs of euery of them: any lawe,ſtatute, oꝛdinaunce,oꝛ other thing to the contrarie thereof notwithſtanding.

¶And where diuers and ſundꝛy biſhops, deanes,archdeacons,treaſourers,pꝛebendaries,chauntrie pꝛieſtes,maſters,pꝛouoſtes, rulers, gouernoꝛs of any deanries, archdeanries, treaſoꝛerſhippes,pꝛebendes,free-

chappels,

chappelles, chauntries, oꝛ colledges, within this Realme of Englande, and other the kinges Maieſties dominions, oꝛ any of the Patrons, foundours, oꝛ donours, of any of the Biſhopꝛickes, Treaſoꝛerſhips, Deanries, chauntries, free chappells, oꝛ other the ſaide ſpirituall pꝛomotions, of their voluntarie willes oꝛ mindes, foꝛ dyuers good and reaſonable cauſes and conſiderations, by deede oꝛ deedes inrolled, oꝛ by other wꝛytinges oꝛ conueyaunces heretofoꝛe geuen and graunted to the late kinge of famous memoꝛie Henry the eyght, late kinge of Englande, and to his heires, oꝛ to our ſoueraigne Loꝛd the kinge that nowe is, and to his heires, diuers of the deanries, archdeanries, Treaſoꝛerſhippes, Pꝛebendes, chappells, chauntries, and colleges, oꝛ any other eccleſiaſticall oꝛ ſpirituall pꝛomocyons, laſt befoꝛe remembꝛed, and all oꝛ ſome part of the mannours, landes, tenementes, tythes, pencions, annuyties, rentes, reuerſions, and other reuenues, heredytamentes, poſſeſſions, emolumentes and pꝛofites to the ſame Biſhopꝛickes, Deanries, colledges, and other like pꝛomotions, benefices, offices, and dignities, oꝛ to anye of them belonging, appertayninge, vnited oꝛ annexed, oꝛ which the ſaide Biſhops, Deanes, Archdeacons, Treaſoꝛers, chauntrie pꝛieſtes, maſters, pꝛouoſtes, rulers, gouernours, and other eccleſiaſticall oꝛ ſpiritual officers oꝛ miniſters, oꝛ any of the ſaid patrons,

patrons, donours, or foundours, or any of them, had or enioyed, in the right, or by reaſon of any of the ſame promotions, offyces, or dignities.

¶ Be it enacted by the aucthoritie aforeſaide, that all and euery giftes and graunts heretofore made to the ſaid late kinge, and to his heires, or to our ſoueraigne Lord the king that now is, and to his heires, by any Archbiſhop, Biſhop, Deane, Archdeacon, Treaſorer, Prebendarie, maſter, Prouoſt, Gouernour, or other the ſaide eccleſiaſtical or ſpirituall perſon or perſons, or by any patron, donour, or foundour, of any of the ſaide deanries, chauntries, or other of the ſaide ſpiritual or eccleſiaſtical promocions, or of all or any of the manours, landes, tenementes, tythes, rentes, reuerſions, pencions, porcions, annuities, or other hereditaments, reuenues, emolumentes, profites, or commodities to any of the ſaid benefices, offices, prebendes, promocions, or dignyties belonging, apperteyninge, vnited or anneyed, or which any of the ſame Archbiſhoppes, Biſhops, Deanes, Archdeacons, treaſorers, maſters, prouoſtes, prebendaries, rulers, gouernours, officers, or myniſters, patrons, foundours, or donours, had or enioyed, or haue or enioy, or ought to haue or enioy, in the right or by reaſon or meanes of any of the ſame promotions, offices, or dignities, ſhalbe good and effectual in the law to all intentes & purpoſes.

Sauing

Sauing to all & euery perſon and perſons, and bodies politike & corporat, their heires, ſucceſſors and aſſignes, & to the heires, ſucceſſors, and aſſignes of euery of them (other then the archbiſhops, biſhops, deanes, archdeacons, treaſorers, prebendaries, rulers, gouernors, wardeins, prouoſtes, gœuors, a grauntors of any of the premiſſes, & they heires, ſucceſſors, and aſſignes, & other ther ſuch eccleſiaſticall or ſpiritual perſons, bodies politike or corporate, as are or pretend to be foundours, donors, patrons, or ordynaries of the premiſſes, or any of them) al ſuch, rightes, titles, intereſtes, claimes, entries, rentes, reuerſions, remainders, fees offices, annuities, landes, tenements, hereditaments, profites, commodities, and emolumentes, as they or any of them haue, o ſhould, or ought to haue had, of, in, or t the premiſſes next aboue mencioned, or a nie part thereof, as if this Acte had neue bene hadde or made: any thinge in thy acte to the contrarie in any wiſe notwithſtandinge.

Prouided alwayes, that thys acte or an thinge therein conteined, ſhall not in an wiſe extende to make good or effectual, an gift, grãt, bargain, ſale, or alienation mad by any parſon, or vicar, of their parſonage or vicarages, or of any part or parcel thereof, or of any thinge to them or any of then belonging or apperteining.

¶ Prouided alſo, that this act or any thin therei

therin contained,ſhall not in any wiſe extēd to hīder or preiudice George Brooke knight lord Cobham,his heires or aſſignes,for, or concerning the late colledge of Cobham,in ỹ coūtie of Kent,or the manours,lands,tenements or poſſeſſions therof,any thing aboue mentioned to the contrarie in any wiſe notwithſtanding.

¶Prouided alſo,and be it enacted by the authoritie aforeſaide,that this preſent acte or any thīg thereī contained ſhal not in any wiſe extende,or be preiudiciall or hurtful to the generall corporation of any Citie, Boroughe,or Towne,within this Realme, or any other the kinges dominions, ne ſhal extende to any the lands , or hereditamentes, of thē,or anye of them, anye thing herein contained to the contrary in anye wiſe notwithſtanding.

Prouided alſo , and be it enacted by the authoritie aforeſaide, that all ſuch of the ſaide colledges , free chappels , chauntries, and other the premiſſes , being appointed & geuen to the kings highnes,by ỹ authoritie of this act,as be within the Duchie of Lancaſter,and all manours,landes,tenementes, and hereditamentes , pertayning or belonging to the ſame colledges,free chappelles, and chauntries, ſhall after the ſaid feaſt of Eaſter next comming,be within the ſuruey and order of the court of the Duchy, of Lācaſter,in ſuch maner and fourme , as other the premiſſes bee aſſigned or appointed by

aucthoritie of this acte, to bee in the ſuruey and order of the courte of Augmentations and reuenues of the kings crowne, or other courte by the kinge to be aſſigned: and that all cõmiſſiones, that hereafter ſhalbe awarded by vertue and force of this acte, concerning ſuch colledges, free chappelles, chauntries, and other the premiſſes, as be within the ſaide Duchie of Lancaſter, ſhall bee awarded vnder the great ſeale of Englande, and ſhall bee certified into the ſame court of the Duchye of Lancaſter, anye thing aboueſaid to the contrarie in anye wiſe notwithſtanding.

¶Prouided alwaies, and be it enacted by the aucthoritie aforeſaide, that this acte, ne any thing therein contained, ſhall extend to the colledge, or chauntrie of Attilborough in the countie of Norfolke, which the ſaide late king Henry the eight, gaue to Robert, Earle of Suſſex, and to his heires, but that Henry now Earle of Suſſex, ſonne & heire to the ſaid late Earle, his heires and aſſignes, ſhall and may by thaucthoritie of this acte, haue and enioy the ſaide Colledge, and chauntrie, and al manours, lands, tenemẽts aduowſons, tithes, penſions portions, and other hereditamentes, thereunto belonging or appertaining, any thing in this acte to the contrarie in anie wyſe notwithſtanding.

¶Prouided alwaies, and by the aucthoritie aforeſaide, be it enacted, that the kings Maieſti

Maieſtie, at any time when it ſhal ſeeme to him good, may giue aucthoritie to certaine his graces commiſſioners, to alter the nature and condition of all manner of Obites, aſwel within the vniuerſities of Cābridge and Oxford, as in any other place within this his graces Realme of England, and Wales, being not ſuppreſſed ne adnichilate by vertue of this preſent acte, and the ſame Obites ſo altered, to diſpoſe to a better vſe, as to the reliefe of ſome poore mē being ſtudents, or otherwiſe.

¶ Prouided alſo, and be it enacted by aucthoritie aforeſaid, that it ſhal not be lawful to any perſon or perſons, bodies politike or corporate, by reaſon of any remainder, vſe, or conditione, to enter into, claime, or challege any lands, tenements, or hereditamēts, for the non doing, not naming, or non finding of any ſuch prieſt, or prieſtes, or poore folkes, as is aforeſaid, Obite, anniuerſarie, light, or lampe, from henceforth to be founden or done: any thing herein contained to ꝧ cōtrarie in any wiſe notwithſtanding.

¶ Prouided alwaies that this acte, nor any thing therein contayned, ſhalnot in any wiſe extende to anye landes tenementes, poſſeſſions or hereditamentes, whatſoeuer, that anie Maſter, Deane, Prebendary, wardeine or chauntrie, or anye ſtipendary, prieſt of anie colledge, chauntrie, prebend, fraternity, guilde, or any other corporations

haue, or held of any perſon or perſonnes, by copie of court rolle, or at wil, accordinge to the cuſtome of any manour or manours, nor geue or graunt any copihold landes to the kinges highnes.

¶ And alſo prouided that the kinges highnes, his heires or ſucceſſours, ſhal not in any wiſe haue, hold, enioy or take by vertue of this act, or any article therein contayned, any maner of copyhold landes, tenements, poſſeſſions, or hereditamentes whatſoeuer they be, but that all and euerie of the ſaid perſons and incumbentes ſhall haue, holde, and enioy the ſame duringe their liues, towardes their penſion and yerely liuing, paying the rentes, and doing their cuſtomes, and ſeruices thereof due and accuſtomed, any thing in this acte to the contrarie notwithſtanding.

¶ Prouided that this actt ſhall not extend to any landes, tenementes, or hereditamēts, aſſigned, appoynted, or intended for the findinge or maintenaunce of anye chauntrie prieſt, or ſtipendarie prieſt, which by any former right, and good title without fraud or couine, were lawfully recouered from the poſſeſſion of any ſuch chauntrie prieſt, or ſtipendarie prieſt, before the firſt day of October, the ſaid xxxvij. yere of the raigne of the ſaid late king Henry the eight, which landes, tenementes, and hereditamentes were not charged, nor chargeable to the paiment of the perpetuall tenthe: any thing in this

this acte to the contrarie hereof notwith=ſtanding.

¶Prouided alwaies, and be it enacted by the authoritie aforeſaid, that all and ſingu=ler grauntes, licences, confirmations, and letters patentes, which our late ſoueraigne Lord king Henrie the eight, or our ſoue=raigne Lord ẏ king that now is, haue made vnder the great ſeale of Englande to anye perſon or perſonnes bodies politike, or cor=porate, of any colledge, chappel, or chauntrie now being in eſſe, or ſtanding, or nowe not being in eſſe, or not ſtanding, or of any lord=ſhippes, manours, landes tenementes, and hereditaments, annexed, vnited, belonging, or appertaining to any colledge, chappel, or chauntrie now being in eſſe, or ſtanding, or now not being in eſſe, or not ſtanding, or of any other thing or things, mẽtioned, expreſ-ſed, or contained in any ſuch graunt, licence, confirmation or letters patentes, ſhall from henceforth be deemed, taken, expounded, and adiudged good and effectall in the lawe, ac=cording to the wordes, ſentences, meanings, ententes, fourme, and effectes of the ſame grauntes, licences, confirmatiõs, and letters patentes, to all intentes, conſtructions, and purpoſes, as if this acte, and the ſaide act made in the ſaid xxxvij. yere of the ſaide late king Henry the eight, had neuer bene had nor made: And that this acte, or the ſaid act made in the ſaid xxxvij. yere of the raigne of our ſaid late ſoueraign lord king Henry the

eight,oꝛ any clauſe,article,ſentence oꝛ other thing therein contained, ſhall not extend to any Colledges,chappelles,chauntries, oꝛ other thing oꝛ thinges mentioned in this acte,now being in eſſe,oꝛ ſtanding,oꝛ nowe not being in eſſe,oꝛ not ſtanding,oꝛ to anye manours,landes,tenements,poſſeſſions,reuenues,oꝛ hereditaments,annexed, vnited, belonging oꝛ appertayning to any colledge, chappell,chaũtrie, oꝛ other thinge mentioned in this acte now being in eſſe, oꝛ ſtandinge,oꝛ now not being in eſſe, oꝛ not ſtandinge,oꝛ to any other thing oꝛ things, mentioned oꝛ expꝛeſſed in this acte, which anye perſon oꝛ perſonnes,bodies,politike oꝛ coꝛpoꝛate,haue had,oꝛ obtained by the aſſente, licence, confirmation,graunt, oꝛ letters patentes of the ſaid late king,oꝛ of the kinges Maieſtie that now is, noꝛ ſhall extende to any manours,landes,tenements,reuenues, poſſeſſions,hereditamentes,oꝛ other thinge oꝛ thinges,mentioned, expꝛeſſed,oꝛ contained in anye ſuche licence , confirmation, graunt, oꝛ letters patentes,but that euery ſuch perſon and perſonnes , bodies, polytike and coꝛpoꝛate,their heires and ſucceſſours and aſſignes,and the heires, ſucceſſoures and aſſignes of euery of them, ſhall haue,holde,and enioy,all and euery the ſame colledges, chappels, chauntries,manours, landes,tenementes, reuenues, poſſeſſions, and hereditamentes,and all and euery other thinge and thinges whatſoeuer, ſo by them had

had or obtained, by the aſſent, licence, confirmation, graunt, or letters patentes of th ſaide late kinge, or of the kinges Maieſty that now is, according to the wordes, ſentences, fourme, effect, meaning, and intent, of the ſame licences, confirmations, grau̅ts, and letters patentes: this acte, or the ſayd act made in the ſaid xxvij. yere of the raigne of the ſaid late kinge Henrie the eight, or anie clauſe, article, ſentence, matter, or thing mencioned, expreſſed, or contained in anie of the ſame actes, to the contrarie thereof in anie wiſe notwithſtanding.

Offices.

¶ An acte touching the finding of offices before the Eſchetour. Anno ſecundo Edwardi 6. Cap. 8.

¶ Eſchetours, 15

Vide ſtat 6 r̃ exppund Inſt: 71:6.

WHere many and diuers perſons, holdinge, or that haue holden, la̅ds, tenements, or hereditaments, ſome for term of yeres, and ſome by copie of court rolle, haue bene expulſed & put out of their fermes & holdes, by reaſon of Inquiſitions, or offices, founden before Eſchetours, commiſſioners, and other, co̅teining tenures of

of the kinge in capite, entitling the king to
the wardſhippe or cuſtodie of ſuche landes
or tenementes, and ſometime entitling the
king to the ſame, vpon attaindours of trea=
ſon, felonie, or otherwiſe, by reaſon that ſuch
leaſes for terme of yeares, or intereſt by co=
pie of court rolle, of ſuch perſons haue not
bene found in ſuch inquiſitions or offices;
after which expulſion or putting out, the
ſaid perſons haue bene without remedy, for
the obtaining of the ſaid fermes and holdes
during the kings poſſeſſion therein, and can
haue no Trauerſe, Monſtrance de droit, n
other remedie for the ſame, becauſe their ſai
intereſt, is but a chatel in the law or cuſto=
marie hold, and no ſtate of free hold. And al=
ſo where anye perſon or perſons hath any
rent, common, office, fee, or other profite Ap=
prender, of any ſtate of free hold, or for yere
or otherwiſe out of ſuch lands, or teneme̅te
ſpecified in ſuch offices, or inquiſitions th
ſaid rent, common office, fee, or profite Ap=
prender, not found in the ſame office or offi=
ces, ſuch perſons are in like maner withou
remedie, to obtaine or haue the ſaid rent, co̅
mon, office, fee, or profite Apprender, by any
trauerſe, or other ſpeedy meane, wͭout grea
& exceſſe charges, during the kinges intereſ
therein, by force of ſuch inquiſition or office

¶ For remedie wherof, be it enacted b
authoritie of this preſent parliament, tha
where any ſuch office or inquiſitions, is o

ſhalb

ſhalbe founden, omitting ſuch titles, inte-reſtes, or matters as is aforeſaid, that in all ſuch caſes, euery leſſee, tenaũt for terme of yeres, or copiholder, and euerye ſuch perſon & perſões, that haue, or ſhal haue, any inte-reſt to any rent, common or profit Apprender for terme of yeres, life, or otherwiſe, out of any the landes, tenementes, or heredita-mentes, contayned in ſuch office or inquiſi-tiõ, where the king his heires or ſucceſſours is or ſhalbe intitled, as is aforeſaide, to any ſuch landes, tenementes, or hereditaments, ſhall haue, holde, enioye, and perceiue, all and euerie their leaſes, and intereſtes, for terme of yeres, or by copie of court rolle, rents, cõ-mons, offices, fees, and profite Apprender, in ſuch maner, forme, ſtate and condition, as they and euery of them, ſhoulde or mighte, haue done, in caſe there had bene no ſuch of-fice, or inquiſition found, and as they ſhould or lawfully might, or ought to haue done, in caſe ſuch leaſe, intereſt by copy of court rolle rent, common, office, fee, or profite Appren-der had bene founden in ſuch office, or inqui-ſition: any la we, cuſtome, or vſage to the cõ-trarie heretofore vſed, in ſuch caſes, in anye wiſe notwithſtanding.

¶ And alſo, where it is or ſhal bee founden for the king, his heires or ſucceſſours, that the heire or heires of his tenant, or tenants is or ſhalt be within age, where in deede ſuch heire or heires is, or ſhalbe at the ſame time of full age, or of a more or greater age, then

then is oꝛ ſhalbe contained within ſuche of-
fice.

¶ Be it further enacted by the auctho ritie
afoꝛeſaid, that in euerie ſuch caſe, ſuch heire
and heires, ſhal and may at his oꝛ their ve-
ry ful age, oꝛ after, pſecute ẏ alias proſecute
a wꝛit of Etate probanda, and ſue his oꝛ
their liuerie, oꝛ Ouſter le maine, as his oꝛ
their caſes ſhall lye, and haue the pꝛofits of
his oꝛ their lands, tenementes, oꝛ heredita-
mentes, from the time of his oꝛ their verye
full age, any ſuch vntrue office oꝛ inquiſiti-
on, oꝛ any lawe oꝛ cuſtome to the contrarye
in any wiſe notwithſtanding.

¶ Alſo where one peꝛſon oꝛ moe, is oꝛ
ſhall be founden heire to the kinges tenaũt
by office oꝛ inquiſitiõ, wher any other per-
ſon is, oꝛ ſhalbe heire, oꝛ if one perſonne oꝛ
moe, be oꝛ ſhalbe founden heire by office, oꝛ
inquiſition in one countie, and an other per-
ſon oꝛ perſons is oꝛ ſhalbe founden heire t
the ſame perſõ in an other countie, oꝛ if an
perſon be, oꝛ ſhalbe vntruely founden luna
tique, ideot, oꝛ dead. Be it enacted by ẏ auc
thoꝛitie afoꝛeſaide, that euery perſon & per
ſõs, greued, oꝛ to be græued by any ſuch of
fice oꝛ inquiſition, ſhal and may haue his o
their trauers to the ſame, immediatly, oꝛ af
ter, at his oꝛ their pleaſure, and pꝛocæde t
trial therein, and haue like remedie and ad
uauntage, as in other caſes of trauers vpo
vntrue inquiſitions oꝛ offices founden, any
law, vſage, oꝛ cuſtome to the cõtrarie in an

wil

wiſe notwithſtanding.

¶ Alſo where it is or ſhall be hereafter vntruley founden by office or inquiſitions, that any perſon or perſōs atteinted, or that ſhalbe atteinted of treaſon, felony, or premunire, is or ſhalbe ſeiſed of any lands, tenementes or hereditaments, at any time of ſuch treaſō felony, or offence, committed or done, or anie time after, whereunto anie other perſon or perſons hath, or ſhal haue anie iuſt title or intereſt of any eſtate of freeholde: that then in euery ſuch caſe, euery pſō & perſōs greeued therby, ſhal haue his or their trauers, or Monſtrans de droit to ÿ ſame, wout being driuen to any petitiō of right, & like remedy & reſtitution, vpon his or their title, founde or iudged for him or thē therin, as hath ben accuſtomed & vſed, in other caſes of trauerſe although the kinges maieſtie, his heires, or ſucceſſours, be or ſhal be in ſuch caſe entytled to any ſuch lands, tenements, or hereditaments, by double matter of record: any lawe, cuſtome or vſage to the contrary in aniewiſe notwithſtanding.

¶ And further be it enacted by the auctoritie aforeſaid, that where any inquiſitiō or office, is or ſhalbe founden, by theſe woords or like. Quod de quo vel de quibus tenementa prędicta tenet iurat pręd. ignorant, or els founden holdē of ÿ kinge Per quę ſeruic. ignorāt, or ſuch like, ÿ in ſuch caſe, ſuch tenure ſo vncertainely foūdē. De quo vel de quibus tenta pdict' tenent ignorant, ſhall not be taken for any

immedi-

immediately tenure of the king, oꝛ ſuch te-
nure ſo founden of the king. Per quē ſeruic'.
ignorant, ſhal not be taken anye tenure in ca-
pite, but in ſuch caſe s, a melius inquirendū, to
be awarded as hath bene accuſtomed in old
time, any vſage of latter time to the contra-
rie notwithſtanding.

¶ And be it further enacted by authoꝛiti
afoꝛeſaid, that where it is oꝛ ſhalbe founde
by any office, oꝛ inquiſition, that any lands
tenements, oꝛ heredi tamentes, are, oꝛ ſhalb
diſcended, remained, oꝛ common to any heir
within age, and in the kinges ward, oꝛ tha
ought to be in the kings ward, & that ſuch
lands, tenements, oꝛ hereditaments, are hol
dē of ẏ king immediatly, where in deede th
ſāe are oꝛ ſhalbe holden of ſome other com
mon perſon, and not of the king immediat
ly: that in ſuch caſe, ſuch heire oꝛ heires, ſha
& may haue their trauerſe to the ſame with
in age, and like remedy and reſtitution vpo
his oꝛ their title founden oꝛ iudged foꝛ hi
oꝛ them therein, as hath bene accuſtomed
vſed in other caſes of trauerſes: anye lawe
vſage, oꝛ cuſtome to the contrarie in any
wiſe notwithſtanding.

¶ Alſo where the kinges Maieſtie by hi
Pꝛerogatiue, ought to haue as well ſuch
landes, and tenementes, as bee holden of o
ther pſons, as holden of him ſelfe immedi
atly, whereof his tenant holding of himſel
in chiefe, dieth ſeiſed his heire being withi
age, vntil ſuch time as liuery be ſued by ſuc
heir

heire, and that the meane lordes, of whom the ſaid other lands and tenements, of ſuch heire be ho lden, vſed to ſpare the rentes due to them for the ſame landes or tenementes, holden of them, during the kings poſſeſſion. And when ſuch heire hath ſued his or their liuery they vſe by diſtreſſe, or otherwiſe to compell the ſaid heire to pay to them the arrerages of ſuch rentes, for ſuch time as the ſaide landes or tenementes, were in ẏ kings poſſeſſion by ſuch minoritye, where they ſhould haue ſued by petition to the kinges maieſtie, to haue obtained the ſame out of ẏ kings handes, if they would haue the ſame, which is to the great detriment, loſſe, and hinderance of ſuch heire and heires. For redreſſe whereof be it enacted by the auctority of this preſent parliament, that from henceforth, ſuch meane lordes, during ſuch minoritie, ſhall haue, receiue, and take the ſaide rentes by the handes of ſuch the kings officers, as ſhalbe appointed to haue, receiue, & take the iſſues, reuenues, and profites of the ſame lands, and tenements, ſo holden of ſuch meane Lordes, during the minority and nonage of ſuch heire and heires, and vntil ſuch heire and heires ſue his or their liuerie, and that ſuch heire and heires vntill ſuch tyme as he or they ſhall haue ſued their liuery, or might conueniently haue ſued their liuery, ſhalbe thereof clerely diſcharged. And that ſuch officer or officers ſhall vppon requeſt made, pay, the ſame to ſuch meane Lordes (they

(they giuing to ſuch officer and officers, a ſufficient acquitance, oꝛ acquitances, foꝛ the receipt of the ſame. And that ſuch payment thereof made with acquitance, oꝛ acquitances thereof ſhewed, ſhal be to ſuch officers a ſufficient diſcharge, againſt the kinges maieſtie, and his heires vpon his oꝛ their accompt in that behalfe: any lawe, vſage oꝛ cuſtome heretofoꝛe had, oꝛ vſed to the contrarie hereof in any wiſe notwithſtanding.

¶ Prouided alwayes, and it is enacted by the authoꝛitie afoꝛeſaide, that this acte, oꝛ anye thing therein contayned, ſhal not in any wiſe extende to any inquiſition oꝛ office taken oꝛ founden, at any time befoꝛe the xx daye of March next comming, noꝛ to hinde pꝛeiudice, oꝛ take away, the title, intereſt oꝛ poſſeſſion of our Soueraigne Loꝛde th kinge, oꝛ of any other perſon oꝛ perſonne growen, oꝛ commen by vertue, meane oꝛ occaſion of any inquiſition oꝛ office taken, found befoꝛe the ſame day, but that as we our ſaid Soueraigne Loꝛd the kinge, as a other perſon oꝛ perſonnes, hauinge any ti tle, intereſt, oꝛ poſſeſſion, by vertue, mean oꝛ occaſion of any inquiſition oꝛ office foun befoꝛe the ſame daye, ſhall, and maye hau holde, and enioy the ſame in like maner an forme, as though this acte had neuer been had oꝛ made, any thinge in the ſame acte the contrarie in any wiſe notwithſtandin

¶ Prouided alſo, and it is enacted by th auth

aucthoritie aforeſaide, that in all ſuch caſes as any perſon or perſonnes ſhall bee enhabled by this acte to haue anye trauerſe, and ſhall purſue his or their trauers, that then he or they that ſhall purſue ſuche trauerſe, ſhall ſue one Writ, or seueral Writes of Scire facias (as the caſe ſhal require) againſt all & ſinguler ſuch perſon & perſons as ſhal haue intereſt by the king, or by his patent or patents, in like maner and fourme as is requiſite, vpon trauerſes, or petitions heretofore purſued. And that in euery ſuch Scire facias, y patentees, or other defendauntes ſhal haue like plees, and aduauntages, as they had in any Scire facias, before this time awarded againſt any patentee in any caſe of petition. And alſo, that vpon euerie trauers that ſhall bee purſued by vertue or meane of this act, in ſuch caſe as the partie or parties that ſhall purſue any ſuch trauerſe, ſhoulde by the order of the common lawes of this Realme, haue bene put to ſue by petition to the kinge, there ſhalbe two Writes of ſearch graunted in maner & fourme, as like Writes haue bene graunted vpon petitions made to the king.

Prouided alſo, and it is enacted by the aucthoritie aboueſaid, that if after any iudgment ſhalbe geuen vppon any trauers, that ſhalbe tended, or ſued by vertue or meane of this acte, it ſhall appeare by any matter of recorde, that the king hath anye other former title, right, or intereſt to the manours, landes

landes, tenementes, oꝛ other hereditamentes, mentioned in the ſame trauers, that thē the ſame title, right, and intereſt, ſhalbe ſaued to the kinge, the ſayde trauers and iudgement thereupon geuen, in any wiſe notwithſtanding.

Tithes.

An act for payment of Tithes. An. 2. E. 6. cap. 13.

Tithes. 10.

WHere in the Parliament holden a Weſtminſter the iiij. daye of Febꝛuarie in the xxvij. yeare of the raign of the late king of moſte famous memoꝛy king Henry the eight. § cap. 20. Tithes. 5. there was an acte made, concerninge payment of tithes pꝛediall and perſonall. An alſo in an other parliament holden at weſtminſter the xxiiij. daye of July, in the xxxi yeare of the raigne of the ſaid late king He ry the eight, § cap. 7. Tithes. 8. § An oth acte was made concerning true payment tithes and offeringes, in which ſeueral act many and diuers thinges be omitted and le out, which were conuenient and very nece ſarie to be added to the ſame: In conſid ration whereof, and to the intēt the ſaid t thes may bee hereafter truely payde, acco ding to the minde of the makers of the ſai acte: Be it oꝛdeined and enacted by the kin our ſoueraigne Loꝛde, with the aſſent of t

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Lordes ſpiritual and temporall,& the commons in this preſent parliament aſſembled, & by thaucthoritie of the ſame,that not onely the ſaid actes made in the ſaid xxvij.and xxxij. yeres of the raigne of ye ſaid late king Henry the eight, concerning true payment of tythes,& euery article & braunch therein conteyned,ſhal abide and ſtande in their full ſtrength and vertue. But alſo be it further enacted by the aucthoritie of this preſent parliament, that euery of the kings ſubiectes ſhal from henceforth truely and iuſtly without fraude or guile, deuide,ſet out,yeld and pay,al maner of their predial tithes,in their proper kind,as they run and happen,in ſuch maner & forme, as hath bene of right yelded and paied , within fortie yeres next before the makinge of this acte,or of right or cuſtome ought to haue bene paied.And that no perſon ſhall from henceforth take or carie away any ſuch or lyke tithes, which haue bene yelded or paied within the ſaid fortie yeares,or of right ought to haue ben paied, in the place or places tithable of the ſame, before he haue iuſtly deuided or ſet foorth for the tithe thereof, the tenth part of the ſame,or otherwiſe agreed for ye ſame tithes, with the Parſon,vicare, or other owner, proprietorie, or fermor of the ſame tithes, vnder the paine of forfaiture of treble value of the tithes ſo taken or caried away.

¶ And be it alſo enacted by the aucthority aforeſaid,that at all times whenſoeuer,and

as often as the ſaide prediall tithes ſhalbe due, at the tithing time of the ſame, it to be lawfull to euery partie to whom any of the ſaid tithes ought to be paied, or his deputie or ſeruant, to view and ſee their ſaid tithes to be iuſtly and truely ſet forth and ſeuered from the ix. partes, and the ſame quietly to take and carie away. And if any perſon carie away his corne or hay, or his other prediall tithes, before the tithe thereof bee ſet forth, or willingly withdraw his tithes of the ſame, or of ſuch other thinges, whereof predial tithes ought to be paied, or do ſtoppe or let the Parſon, vicar, proprietory, owner or other their deputies or fermors, to view, take, or carie away their tithes, as is aboue ſaide, by reaſon whereof the ſayd tythe or tenthe is loſt, impaired, or hurt: that then vpon due proofe therof made, before the ſpiritual Iudge, or any other iudge, to whom heretofore he might haue made complaint, the partie ſo carying away, withdrawing, letting or ſtopping, ſhal pay the double value of the tenth or tithe, ſo taken, loſt, withdrawen, or caried away, ouer & beſides the coſtes, charges, and expences of the ſuyt in the ſame, the ſame to be recouered before the eccleſiaſticall Iudge, according to the kings eccleſiaſtical lawes.

¶ And be it further enacted by thaucthoritie aforeſaide, that all and euery perſonne which hath or ſhal haue any beaſts or other catel tithable, going, feeding, or depaſturing in

in any waſt or common grounde, whereof the pariſh is not certeinly knowen, ſhal pay their tithes for the increaſe of the ſaid cattel ſo going in the ſaid waſt or common, to the parſon, vicar, proprietorie, porcionarie, owner, or other their fermors or deputies of the pariſh, hamlet, town, or other place, where ẏ owner of ẏ ſaid cattel inhabiteth or dwelleth

¶ Prouided alwaies, & be it enacted by the aucthoritie aforeſaid, that no perſon ſhalbee ſued, or otherwiſe compelled to yeld, geeue, or pay any maner of tithes, for any manors, landes, tenements, or hereditaments, whych by the lawes & ſtatutes of this Realme, or by any priuiledge, or preſcription, are not chargeable with the payment of any ſuch tithes, or that be diſcharged by any compoſicion reall. ‡ See before 31. H. 8. cap. 13. ‡

¶ Prouided alwaies, and be it enacted by thaucthoritie aforeſaid, that all ſuch barren heath, or waſt ground (other then ſuch as be diſcharged for the paimēt of tithes by act of parliament) which before this time haue lien barren & paied no tithes, by reaſon of ẏ ſame barrennes, & now be, or hereafter ſhalbe improued & conuerted into arrable groūd or meadow, ſhal from henceforth, after the ende and terme of vij. yeares, next after ſuch improuement, fully ended & determined, pay tithe for the corne & hay growing vpon the ſame: any thing in this acte to the contrarie in any wiſe notwithſtanding.

¶ Prouided alwaies and be it enacted by

by auctho?itie afo?eſaide, that if any ſuch barren, waſt, o? heath grounde, hath befo?e this time ben charged with the payment of any tithes, and that the ſame bee hereafter imp?oued & conuerted into arrable grounde o? meadow: that then the owner o? owners thereof, ſhall during vij. yeres next followīng, from & after the ſame imp?ouement pay ſuch kind of tithe as was paied fo? the ſame befo?e the ſaid imp?ouement: any thinge in this acte to the contrarie in any wiſe notwithſtanding.

¶ And bee it alſo further enacted by auctho?itie afo?eſaid, that euery perſon exerciſing merchandiſes, bargaining and ſellinge clothing, handycraft, o? other art o? faculty, being ſuch kind of perſons, & in ſuch places, as heretofo?e within theſe xl. yeres haue accuſtomably vſed to pay ſuch perſonable tythes, o? of right ought to pay, other thē ſuch as ben common day labo?ers, ſhall yearely at o? befo?e the feaſt of Eaſter, pay fo? hys parſonal tithes, ẏ x. part of his clere gaines, his charges & expences, acco?ding to hys eſtate, condicion, o? degree, to be therein abated, allowed, and deducted.

¶ P?ouided alwaies, & be it enacted, that in all ſuch places where handy craftes men haue vſed to pay their tithes within theſe xl. yeares, the ſame cuſtome of payment of tithes to be obſerued & to cōtinue: any thing in this act to the contrarie notwithſtanding.

¶ And be it alſo enacted by the auctho?ity afo?e=

foreſaid, that if any perſon refuſe to pay his parſonall tithes in forme aforeſaid: that thē it ſhalbe lawfull to the Ordinarie of ẏ ſame dioces, where the partie (that ſo ought to pay the ſaid tithes) is dwelling, to call the ſame partie before him, & by his diſcretion to examin him by all lawful and reaſonable meanes, other thē by the parties owne corporate othe, concerninge the true payment of the ſaid parſonall tithes.

¶ Prouided alwaies, and be it enacted by the aucthoritie aforeſaide, that all and euery perſon & perſōs, which by the lawes or cuſtomes of this realme, ought to make or pay their offringes, ſhal yerely from henceforth, well & truely content & pay, his or their offrings to the Parſon, vicar, proprietorie, or their deputies or fermers of ẏ pariſh or pariſhes where it ſhal fortune or happen hym or them, to dwel or abide: & that at ſuch iiij. offring dayes, as at any time heretofore wīn the ſpace of iiij. yeres laſt paſt, hath ben vſed & accuſtomed for the payment of the ſame, & in default thereof, to pay for their ſaide offrings at Eaſter then next following.

¶ Prouided alſo, and be it enacted by the aucthoritie aforeſaide, that this acte or any thing therein cōteined, ſhal not extēd to any pariſh, which ſtands vpon, & towards ẏ ſea coaſts, the cōmodities & occupiyng whereof conſiſteth chiefly in fiſhing, & haue by reaſō thereof, vſed to ſatiſfie their tythes by fiſh, but ẏ al & euery ſuch pariſh & pariſhes ſhall

hereafter pay their tithes, accordi[n]g to the lawdable cuſtomes, as they haue heretofore of auncient time, within theſe xl. yeres, vſed and accuſtomed, and ſhal pay their offrings as is aforeſaid.

¶ Prouided alwaies, and be it enacted by the aucthoritye aforeſaid, that this act or any thing therein conteyned, ſhall not extend in any wiſe to the inhabitants of the citie of London and Canterbury, & the ſuburbes of the ſame, ne to any other towne or place, that hath vſed to pay their tithes by theyr houſes, otherwiſe thē they ought or ſhould haue done before the making of this act: any thing conteined in this act, to the contrarie in any wiſe notwiſtanding. ‡ See 27. H. 8. cap. 21. & 37. H. 8. cap. 12. and the decree thereupon in the Collection of Statutes, Tithes 6. & 9.

¶ And bee it further enacted by the aucthority aforeſaid, that if any perſon do ſubtract or withdraw any maner of tithes, obuentions, profites, commodities, or other duities before mencioned, or any part of thē contrarie to the true meaning of this act, or of any other act heretofore made: that then the party ſo ſubtracting, or withdrawinge the ſame, may or ſhalbe conuented and ſued in the kings eccleſiaſtical Court, by the partie from whom the ſame ſhalbe ſubtracted or withdrawen, to thintent the kings iudge eccleſiaſtical ſhall and may then and there heare & determin the ſame, according to the kings eccleſiaſtical lawes. And that it ſhall not

not be lawful vnto the Parſon, vicare, proprietorie, owner, or other their fermors or deputies, contrarie to this acte, to conuent or ſue ſuch withholder of tithes, obuentiōs or other duities aforeſaide, before any other Judge then eccleſiaſtical. And if any Archbiſhops, biſhops, chauncelor, or other iudge eccleſiaſtical, geeue any ſentence in the foreſaid cauſes of tithes, obuentions, profites, emoluments, and other dueties aforeſaid, or in any of them & (no appeale ne prohibicion hanging) the party cōdempned do not obey the ſaid ſentence: that then it ſhalbe lawful to euery ſuch iudge eccleſiaſtical, to excōmunicate the ſaid party, ſo as afore condēpned, & diſobeying, in the which ſentence of excōmunication, if the ſaid partie excōmunicate wilfully ſtand and endure ſtill excommunicate, by the ſpace of fortie dayes next after, vpon denunciation & publication thereof, in the pariſh Church, or the place or paryſhe, where the party ſo excommunicate is dwelling or moſt abyding, the ſaid Judge eccleſiaſticall, may then at his pleaſure ſignifie vnto the king into his court of Chauncery, of the ſtate and condicion of the ſaid partie ſo excommunicate, and thereupon to require proces De excommunicato capiendo to bee awarded againſt euery ſuch perſon as hath bene ſo excommunicate.

¶ Be it further enacted by the aucthoritie aforeſaid, that if any party at any time here after, for any matter or cauſe before reherſed

limitted oꝛ appointed by this act, to be ſued oꝛ determined in the kinges eccleſiaſticall court, oꝛ befoꝛe the eccleſiaſtical Iudge, do ſue foꝛ any pꝛohibicion in any of the kinges courts, where pꝛohibicions befoꝛe this tyme haue ben vſed to be graunted: that then in euery ſuch caſe, the ſame partie befoꝛe any pꝛohibicion ſhalbe graunted to him oꝛ them ſhal bꝛing & deliuer to the handes of ſome of the Juſtices oꝛ Judges of the ſame Court where ſuch partie demaunded pꝛohibicion, the verie true copie of the libell dependinge in the eccleſiaſticall Court, concerning the matter wherefoꝛe the partie demaundeth pꝛohibicion, ſubſcribed oꝛ marked with the hand of the ſame party: & vnder the copy of the ſaid libel, ſhalbe wꝛiten the ſuggeſtion, wherefoꝛe the partie ſo demaũdeth the ſaid pꝛohibicion: and in caſe the ſaid ſuggeſtion, by two honeſt & ſufficient witneſſes at the leaſt, be not pꝛoued true in the court where the ſaid pꝛohibicion ſhalbe ſo graũted, with in vj. monethes next following after ỹ ſaid pꝛohibicion ſhalbe ſo graũted and awarded: that then the partie that is letted oꝛ hindered, of his oꝛ their ſuit in the eccleſiaſticall court by ſuch pꝛohibicion, ſhall vpon his oꝛ their requeſt & ſuite, without delay haue a conſultacion graunted in the ſame caſe in ỹ court, where the ſaid pꝛohibion was grãted and ſhall alſo recouer double coſtes & damages againſt the party that ſo purſued the ſaid pꝛohibicion, the ſaid coſtes and dãma-

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ges to be aſſigned oꝛ aſſeſſed by the Court, where the ſaid conſultation ſhalbe ſo grau̅ted, foꝛ which coſtes and damages, the partie to whom they ſhalbe awarded, may haue an action of debt, by bill, plaint, oꝛ infoꝛmation in any of the kinges Courts of recoꝛd, wherein the defendant ſhall not wage hys oꝛ their law, noꝛ haue any eſſoine, oꝛ pꝛotection allowed oꝛ admitted.

¶Pꝛouided alwaies, and be it enacted by the aucthoꝛity afoꝛeſaid, that this act oꝛ any thing therein conteyned, ſhall not extend to geue any Miniſter oꝛ Judge eccleſiaſticall any iuriſdiction to hold plee of any matter, cauſe, oꝛ thing, being contrarie oꝛ repugnāt to, oꝛ againſt the effect, intent, oꝛ meaninge of the ſtatute of Weſtminſter ij. the v. cap. the ſtatutes of Articuli cleri, Circumſpectè agatis, Silua cedua, the Treatiſe de Regia prohibicione, ne againſt the ſtatute of Anno primo Edwardi tercij the x. chapiter, oꝛ any of them, ne yet hold plea in any matter whereof the kinges Court of right ought to haue iuriſdiction: any thinge herein conteined to the contrarie in any wiſe notwithſtanding.

¶Pꝛouided neuertheleſſe, where heretofoꝛe ſuch a cuſtome hath ben in many partes of wales, that of ſuch cattel and other goods as hath ben geuen with the mariage of any perſon, their tiths haue ben exacted & leuied by the parſons and curates in thoſe partes, which cuſtome beeing diſſonaunt from any part of this Realme, as it ſeemed when the ſaid

ſaid countrey of Wales, was through ciuill diſcention vnculted, for want of other ſuffi- cient profites, that might otherwiſe growe to the Curates and miniſters there, to haue ben for that time tollerable, ſo now ÿ coun- trey being well manured and huſbanded, & that tithe is duely paied there of corne, hay, wooll and chæſe, and of other increaſe of al maner of cattell, as it is commonly in al other partes of this Realme, the ſame cuſ- tome ſæmes to be græuous and vnreaſona- ble, ſpecially where the benefices are els ſufficient for the finding of the ſaide My- niſters and Curates: That it bee therefor enacted by the authoritye aforeſaide, tha from and after the firſt day of May nex comming, no ſuch tithes of mariage gode be exacted or required of any perſon withi the ſaid dominion of Wales, or Marches o the ſame: any thing in this acte conteined or any other acte, cuſtome, preſcription, had or made to the contrarie hereof, notwith ſtanding.

¶ An acte for the limitacion of preſcripcion in cer taine caſes made in the ſecond Seſsion of the firſt Parliament. 1.M.cap.5.

¶ Limitacion. 2.

The ſaid former act made in the ſaid xxx yere of the Raigne of the ſaid late kin Henry ‡ which is before 32.H.8.cap.2

Limitacion 3

Limitacion 3.‡ or any article, clauſe, ſentence, or matter therein conteined, ſhal not extend to any writ of right of aduowſon, Quare impedit, or aſſiſe of Darrein preſentment, or Iure patronatns, nor to any writ of right of ward, writ of Rauiſhment of ward, for the wardſhip of the body, or for the wardſhip of any caſtels, honors, manors, landes, tenementes, or hereditamẽts holden by knights ſeruice, nor to the ſeiſer of the wardſhip of the bodie of any warde or wardes, or to the ſeiſer or wardſhip of any caſtels, honours, manors, landes, tenements, or hereditamẽts holden by knights ſeruice, but that all and euery perſon and perſons, bodies politike and corporate, their heires and ſucceſſours, the heires and ſucceſſors of euery of them ſhall and may haue, mainteine, and purſue, all and ſinguler the ſaid writtes of right of aduowſon, Quare impedit, aſſiſe of Darreine preſentmrnt, Iure patronatus, writtes of right of warde, Rauiſhment of warde, and alſo ſeiſe the wardſhippe both of the body, and of the caſtels, honors, manors, landes, tenements, & hereditaments holden by knights ſeruice, in like maner & forme, to al intents, conſtructions & purpoſes, as they or any of them ſhould or might haue done, made, or purſued before the making of the ſaide acte, made in ÿ ſaid xxxij. yere ‡cap. 2.‡ as though the ſame acte had neuer beene had or made; any thing in the ſaid former act to the contrarie notwithſtanding.

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¶ An acte againſt Fraudulent deedes, giftes, grauntes, alienations &c. Anno 13.Eliz.cap.5.

¶ Fraudulent deedes. 1.

FOr the auoydinge and abo liſhing of feyned, couenous and fraudulent feoffements giftes, grauntes, alienati ons, conueyaunces, bondes, ſuites, iudgementes, an executions, aſwel of landes and tenements as of goodes and cattels, more commonly vſed and practiſed in theſe dayes, then hat bene ſeene and heard of heretofore: whyc feoffements, giftes, grauntes, alienati ons, conueyaunces, bondes, ſuites, iudge mentes, and executions, haue beene an are deuiſed and contriued of malyce, fraud couine, colluſion, or guyle, to the ende purpoſe, and intent, to delay, hynder or defraude creditours, and others of thei iuſt and lawfull actions, ſuites, debtes, ac comptes, dammages, penalties, forfaitures heriots, mortuaries, and reliefes, not onel to the let or hinderance of the due courſe execution of law and iuſtice, but alſo to th ouerthrow of all true and plaine dealynge bargayning and cheuiſance, betwene ma

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and man, without the whiche no common wealth or ciuyll ſocietie can be mainteined or continued. Be it therefore declared, ordeyned & enacted by aucthoritie of this preſent parliament, that all and euery feoffement, gift, graunt, alienation, bargaine, and conueiance of landes, tenements, heredytaments, goodes, and cattelles, or of any of them, or of any leaſe, rent, common, or other profite or charge out of the ſame lãds, tenementes, hereditamentes, goodes, and cattels, or any of them, by writing or other wiſe: And all and euery bonde, ſuit, iudgement & execution, at any time had or made ſithence the begining of the Quenes Maieſties raygne that now is, or at any tyme hereafter to be had or made, to or for, any intent or purpoſe, before declared and expreſſed, ſhalbe from henceforth deemed & taken (onely as againſt that perſon or perſons, his or their heires, ſucceſſors, executours, adminiſtrators, and aſſignes, and euery of them, whoſe actions, ſuits, debtes, accõpts, dammages, penalties, forfaitures, heriotes, mortuaries, and reliefes, by ſuch guylefull, couenous, or fraudulent deuiſes & practiſes, as is aforeſaide, are, ſhall, or mought be in any wiſe diſturbed, hindered, delayed, or defrauded) to be clearely and vtterly voyde, fruſtrate, and of none effect: any pretence, colour, fayned conſideration, expreſſing of vſe, or any other matter or thing to the contrary notwith-

notwithſtanding.

¶And be it further enacted by thauctho-ritie aforeſaide, that all and euery the par-ties to ſuch fayned, couenous, or fraudulen feoffement, gift, graunt, alienation, bar-gaine, conueyaunce, bondes, ſuites, iudge mentes, executions, & other thinges befor expreſſed, or being priuie & knowing of th ſame, or any of them, which at any time af ter the tenth day of Iune next commynge ſhall wittingly and willingly put in ur auow, maintein, iuſtifie or defend the ſam or any of them, as true, ſimple, and don had or made, bona fide, and vpon good con ſideration, or ſhall alyen or aſſigne any th landes, tenements, goodes, leaſes, or oth thinges before mencioned, to him or the conueyed, as is aforeſaid, or any part the of, ſhall incurre the penaltie & forfaiture one yeres value of the ſaid lands, tenemēt and hereditaments, leaſes, rents, commor or other profits, of, or out of the ſame, & t whole value of the ſaid goodes and cattel and alſo ſo much money, as are or ſhalb conteyned in any ſuch couenous and fayn bonde: the one moitie whereof to be to t Quœnes Maieſtie, her heires & ſucceſſor and thother moitie to the partie or parti grœued by ſuch fained and fraudulent feff ment, gifte, graunt, alienation, bargain conueyance, bondes, ſuites, iudgemente executions, leaſes, rentes, commons, pr

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ſtes,charges, and other thinges aforeſaid, to bee recouered in any of the Queenes Courtes of recorde, by action of debt,byll, plaint, or information, wherein none eſſoine, protection, or wager of law ſhalbee admitted for the defendant or defendaunts, and alſo being thereof lawfully conuicted, ſhall ſuffer impriſonment for one halfe yere without baile or mainpriſe.

¶Prouided alwaies, and be it further enacted by the aucthoritie aforeſaide, that whereas ſundry common recoueries of lãds tenements,and hereditaments haue heretofore ben had,and hereafter may bee had againſt tenant in taile,or other tenant of the freehold,the reuerſion or remainder, or the right of reuerſion or remainder then beeing in any other perſon or perſons, that euery ſuch common recouerie heretofore had, and hereafter to be had of any lands,tenements, or hereditaments , ſhall as touching ſuche perſon and perſons , whiche then had any remainder or reuerſion, or right of remainder or reuerſion, and againſt the heires of euery of them:ſtand,remaine,and be of ſuch lyke force and effect, and of none other, as the ſame ſhould haue bene, if this acte had neuer bene had ne made.

¶Prouided alwayes,& be it further enacted by thaucthority aforeſaid,that this act or any thing therein conteined, ſhal not extend to make void any eſtate or conueiance, by

by reaſon whereof any perſon or perſons ſhal vſe any voucher in any writ of Formedō now depending, or hereafter to be depēding, but that all & euery ſuch vouchers in any writ of Formedon, ſhall ſtand and be in lyke force and effect, as if this act had neuer bene had ne made: any thinge before in this acte conteyned, to the contrarie notwſtanding.

¶Prouided alſo, and be it enacted by the authoritie aforeſaide, that this acte, or any thing therein contained ſhal not extende to any eſtate or intereſt in landes, tenements, hereditaments, leaſes, rents, commons, profites, goods, or cattels, had, made, conueyed, or aſſured, or hereafter to be had, made, conueyed, or aſſured, which eſtate or intereſt, is or ſhalbe vpon good cōſideration, & bona fide lawfully conueyed or aſſured to any perſon or perſons, or bodies politike or corporate, not hauing at the time of ſuch conueyance or aſſurance to them made, any maner of notice or knowledge of ſuch couine, fraude, or colluſion, as is aforeſaid: any thing before mencioned to the contrarie hereof notwithſtanding. This act to endure vnto the ende of the firſt ſeſſion of the next parliament, & An. 14. Eliz. ca. 4. continued vnto the ende of the next parliament, and 27. Eliz. cap. 11. continued vnto the ende of the next parliament.

¶In

¶ An Acte that the exemplification or conſtat of letters patents, ſhal be as good and auailea- ble as the letters patents them ſelues An̄ 13. Eliz. cap. 6. Graunts 3.

FOr the auoiding of al ſuch doubts, queſtions, and ambiguities, as heretofore haue riſen and bene moued, and of ſuch as hereafter might riſe and be moued, in and vpon the ſtatute made in the parliament begunne and holdē at Weſtminſter the iiij. day of Nouember, in the third yere of the raigne of our late ſoueraigne lord king Edwarde the ſixt, entituled an act concerning graunts and gifts, made by patentees out of letters patents, § which is 3. E. 6. cap. 4. Grauntes 2. § and for a due and full ſupply of all ſuch wantes as may bee thought to be therein: Be it enacted and declared by the auctority of this preſent parliament, that al and euery patentee and patentees, their heires, ſucceſſours, executors, and aſſignes, and all and euery other perſon and perſons, hauing by, or from them or any of them, or vnder their title: any eſtate or intereſt, of, in, or to any landes, tenements, or hereditaments, or any other thing whatſoeuer, to such patentee or patentees heretofore graūted by any letters patents, either of the moſt famous princes king Henry the eight, king Edwarde the ſixt, Queene Mary, king Phillip & Queene Mary, or by any of them, or by the Queens moſt excellent Maieſtie that now is, at any

time ſithence the iiij. day of February, in the xxvij. yere of the raigne of the ſaid late king Hẽry the eight, or els by the Queenes maieſtie that now is, her heires or ſucceſſours, at any time hereafter to be graunted, ſhall and may at al times hereafter, in any of the Queenes highnes courts, her heires, or ſucceſſors, and els where, by the authoritie of this preſent act, make and conuey, & bee allowed and ſuffered to make and conuey, to & for him, thẽ, & euery of them ſelues, ſuch claime, or title, by way of declaratiõ, plaint, auowrie, barre, replication, or other pleading whatſoeuer, aſwel againſt ẏ Queenes highnes her heires, & ſucceſſours, & euery of them, as againſt al & euery other pſon & pſons whatſoeuer, for or concerning ẏ lands, tenements, hereditaments, or other things whatſoeuer ſpecyfied or conteined in any ſuch letters patents, or of, for, or concerning any part or parcel thereof, by ſhewing forth an exemplification or conſtat, vnder ẏ great ſeale of Englãd, of the inrolment of ẏ ſame letters patẽts, or of ſo much thereof, as ſhal and may ſerue to, or for ſuch title, claime, or matter, the ſame letters patents then being and remaining in force, not lawfully ſurrẽdred nor cancelled, for or concerning ſo much & ſuch part and parcell of ſuch lands, tenements, hereditamẽts, or other thing, whereunto ſuch title or claime ſhalbe made, as if the ſame letters patents ſelfe were pleaded and ſhewed forth: any lawe, vſage, or other

thing

thinge, whatſoeuer to the contrarye not=withſtanding.

¶ An Acte againſt Vſury An̄ 13. Eliz. Cap. 8.
¶ Vſurie. 6

WHere as in the Parliament holden the xxxvij. yere of the Raigne of our late ſoueraigne Lorde king Henrye the eight of famous memory §cap. 6. Vſurie 6. § there was then made & eſtabliſhed one good acte for the reformation of vſurye, by which act yͤ vice of vſury was wel repreſſed & eſpecially the corrupt cheuiſance & bargaining by way of ſale of wares, & ſhifts of intereſt. And where ſince yͤ time by one other act made in the v. & vi. yeres of the raigne of our late ſoueraigne lord king Edwarde the 6. § ca. 20. § the ſaid former act was repealed, and new prouiſoes for repreſſing of vſurye deuiſed and enacted, which ſaid latter acte hath not done ſo much good as was hoped it ſhoulde, but rather the ſaid vice of vſury, and ſpecially by way of ſale of wares and ſhiftes of intereſt, hath much more exceedingly abounded, to the vtter vndoing of many gentlemen, marchants, occupiers & other, & to the importable hurt of the cōmon wealth, aſwel for yͭ in yͤ ſaid later acte there is no prouiſion againſt ſuch corrupt ſhiftes and ſales of wares, as alſo for yͭ there is no difference of paine, forfaiture, or puniſhement, vpon the greater or leſſer exactions &

oppreſſions, by reaſon of lones vpon vſury: Be it therefore enacted, that the ſaid later ſtatute made in the v. and vj. yeares of the raigne of king Edward ÿ 6. (ca. 20) & euery braũch and article of the ſame, from & after the xxv. day of June next comming, ſhalbe vtterly abrogated, repelled, & made voide, & that the ſaid acte made in the ſaid xxxvij. yere of king Henry the eight (ca. 6.) from & after the ſaide xxv. day of June next comminge ſhalbe reuiued, & ſtand in full force, ſtrength and effect.

¶And be it further enacted, that al bondes, contracts, & aſſurances, collaterall or other, to be made for payment of any principall, or money to be lent, or couenant to be perfourmed vpõ or for any vſury, in lending or doing of any thing againſt the ſaid act nowe reuiued, vpõ or by which lone or doing, there ſhalbe reſerued or taken aboue the rate of x. poundes for the hundred for one yere, ſhall be vtterly voide.

¶And be it further enacted, that all Brokers, ſolicitors, & driuers of bargaines, for contracts or other doings againſt the ſayde ſtatute now reuiued, wherupõ ſhalbe reſerued or taken more then after the rate of x. li. for the lone of C. li. for a yere, ſhalbe to al intẽts & purpoſes, iudged, puniſhed, & vſed as Counſellours, attourneis, or aduocates, in anie caſe of premunire.

¶And forasmuch as all vſury being forbidden by the law of God, is ſinne & deteſtable: Be

ble: Be it enacted that al vſury, lone, & forbearing of mony, or geuing daies for forbearing of money by way of lone, cheuiſaunce, ſhifts, ſale of wares, cõtract, or other doings whatſoeuer for gaine, mentioned in the ſaid ſtatute which is now reuiued, whereupõ is not referued, or taken, or couenanted to be reſerued, paide, or geuen to ỹ lender, cõtracter, ſhifter, forbearer, or deliuerer, aboue the ſumme of x. li. for the lone or forbearing of a C. li. for one yere, or after ỹ rate for a more or leſſer ſũme or time, ſhalbe frõ the xxv. day of June next cumming, puniſhed in fourme folowing, that is to ſay, that euery ſuch offẽdor againſt this braũch of this preſẽt ſtatute, ſhal forfait ſo much as ſhalbe reſerued by way of vſury, aboue the principall, for any money ſo to be lent or forborne. All ſuch forfaitures to be recouered & imploied as is limitted for forfaitures by the ſaide former ſtatute now reuiued.

¶ And be it further enacted that Juſtices of Oier & Terminer, & Juſtices of aſſiſe in their circuits, Juſtices of peace in their ſeſſions, maires, ſherifes, & bailifes of Cities, ſhal alſo haue ful power & aucthority to enquire, heare, & determine, of all and ſinguler offences committed againſt the ſaid ſtatute now reuiued.

¶ And be it further enacted, ỹ the ſaid ſtatute now reuiued, ſhalbe moſt largelie and ſtrongly cõſtrued for the repreſſing of vſury & againſt al perſõs that ſhall offend againſt

the true meaning of the ſaid ſtatute by any way or deuiſe, directly or indirectly.
¶ Prouided alway, that this ſtatute doth not extend, nor ſhalbe expounded to extende vnto any allowances or paymentes for the finding of Orphanes, according to the auncient rates, or cuſtomes of the citie of London, or any other Citie where like order is for the cuſtodye of Orphanes & their goods as in the ſaid city of London.
¶ Prouided alwaies, and bee it further enacted by the authority aforeſaid, that if any perſon or perſons, ſhall from & after the ſaid xxv. day of June, offende contrarye to the ſaied ſtatute reuiued by this preſent act made in the xxxvij. yere of the raygne of the ſaid late king Henry the eyght (ca. 6.) that then al and euery ſuch offendour and offendours, ſhal and may alſo be puniſhed & corrected, according to the Eccleſiaſtical lawes heretofore made againſt vſurie. And that all and euery perſon and perſons offendinge in vſurie, ſhiftes, or cheuiſance againſt this preſent act, and not taking or receiuing but onely after the rate of x. poundes in the hundred, or vnder, for a yere, ſhalbe onely puniſhed by the paines & forfaitures prouyded and appointed by this acte againſte ſuch as ſhall not take or receiue ouer and aboue the rate of x. poundes in the hundred for a yere, and not otherwiſe. This act to continue and endure for and during the ſpace of fiue yeres, next after the end of this preſent Parlia-

Parliament, and from thence unto the ende of the firſt Seſſion of the Parliament then next enſuing.

¶ And be it further enacted by the authoritie aforeſaide, that if this preſent act ſhall not be continued in the firſt Seſſion of the Parliament next enſuing the ſaid terme of v. yeres, and then in the ſame Seſſion no other ſtatute or prouiſion made againſt vſury or corrupt cheuiſance, ỷ then all & euery the lawes & ſtatuts repelled by this act, ſhal remaine and be of ſuch like force & effect, as if this preſent act had neuer bene had ne made §Vide 5.E.6.ca.20.9.§ This ſtatute of 13 Eliz. is cōtinued by 27.El.ca.11.to thende of the next Parliament.

¶ An Acte againſt fraudes, defeating remedies for dilapidations of Eccleſiaſtical liuings, & for Leaſes to be graunted by collegiat churches 13.El.cap.10.

Leaſes 4.

For that long & unreaſonable leaſes made by colleges, Deane & chapters, parſons, vicars, & other hauing ſpiritual promotions, be the chiefeſt cauſes of dilapidatiōs & the decay of al ſpirituall liuings & hoſpitalitie, & ỷ vtter impoueriſhing of al ſucceſſors incumbents in the ſame. Be it enacted by the authoritie aforeſaid, that from hēceforth al leaſes, giftes, graunts, feoffements,

conueyãces, or eſtates, to be made, had, done, or ſuffered, by any maſter & fellowes of any colledge. Deane & chapter of any Cathedral or collegiat church, maſter or gardian of any hoſpital, parſon, vicar, or any other hauing any ſpiritual or eccleſiaſtical liuing, or any houſes, lãds, tithes tenemẽts, or other hereditamẽts being any parcell of the poſſeſſions of any ſuch college, Cathedrall church chapter, hoſpitall, perſonage, vicarage, or other ſpiritual promotion, or any waies appertaining or belonging to the ſame, or to any of thẽ, to any perſõ or perſons, bodies politike or corporate (other then for the terme of xxi. yeres, or thrée liues, frõ the time as any ſuch leaſe or grãt ſhalbe made or grãted, wherupõ the accuſtomed yerely rent or more ſhal be reſerued & payable yerely during the ſaid terme) ſhalbe vtterly voide & of none effect to al intents, conſtructions, & purpoſes: any law, cuſtome, or vſage, to the contrary any waies notwithſtanding.

¶ Prouided neuertheleſſe, and be it enacted by thauthority aforeſaid, ẏ this act nor any thing therein contained, ſhalbe taken or cõſtrued, to make good any leaſe, or other grãt to be made by any ſuch colledge, or collegiate church, within either of both the Uniuerſities of Oxforde & Cambridge, or els where within the Realme of Englande, for more yeres then are limitted by ẏ priuate ſtatuts of the ſame Colledge.

¶ Prouided alwaies, that this act ſhal not

extende

extende to any leaſe hereafter to be made vpon ſurrender of any leaſe heretofore made, or by reaſon of any couenāt or cōdition, cōtained in any leaſe heretofore made, & nowe cōtinuing, ſo ꝑ the leaſe to bee made doo not conteine more yeares then the reſidue of the yeres of the former leaſe nowe continuinge ſhalbe, at the time of ſuch leaſe hereafter to be made, nor any leſſe rent then is reſerued in the ſaid former leaſe § See a ſtatute made 1. Eliz, which is vnprinted concerninge exchaunges to be had betwene the Queenes Maieſtie & Biſhops, what leaſes & aſſurāces biſhops may make. Leaſes 4. See alſo one other ſtatute made the ſayd 13. yere ca. 20. Leaſes 5. and certaine braunches of the ſtatute made 14. Eliz. ca. 11. touchinge leaſes, & charges by ſuch incumbents, & the other matters of this ſtatute: which are omitted, becauſe they are not yet perpetuall.

¶ Recoueries.

¶ An Acte for the auoidinge of recoueries ſuffred by colluſion by tenants for terme of life, and ſuch others. An. 14. Eliz. cap. 8.

¶ Recoueries. 5.

Where diuers perſons being ſeiſed, or that had bene ſeiſed of landes, tenementes, and hereditamentes, as tenauntes by the curteſie of England. tenāts in taile after poſſibilitie of iſſue extincte, or otherwiſe, onely for terme of life or liues, or

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of eſtates determinable vppon lyfe or liues, haue heretofore permitted & ſuffered, other perſons, by agrement or couine betwene thẽ had, to recouer the ſame landes, & tenemẽts & other hereditamẽts againſt the ſame particuler tenants, in the Quéenes Maieſties court, or haue permitted & ſuffered themſelues to be vouched by other perſõs, by agrement or couin betwene them had in recoueries ſuffered of the ſame lands, tenementes, & other hereditamẽts, in the Quéenes Maieſties court, to the great preiudice of thoſe to whom the reuerſion or remainder thereof hath appertained, or ought to appertaine.

For remedy whereof, be it enacted by ŷ Quéenes moſt excellent Maieſtie, with the aſſent of the Lordes ſpirituall and temporal, & the commons in this preſent parliament aſſembled, & by authority of the ſame that al ſuch recoueries, hereafter to be had or proſecuted, by agréement of the parties, or by couin, as is aforeſaide, againſt anie ſuch particuler tenaunt of any landes, tenements, or hereditaments, whereof the ſame particuler tenant is, or hereafter ſhalbe ſeiſed of any ſuch particuler eſtate as is aforeſaid, or againſt any other, with voucher ouer of any ſuch particuler tenaunt, or of anie hauing, or that had right or title to anie ſuch particuler eſtate or tenauncy, as is aforeſaide: ſhall from henceforth, as againſt ſuch perſon or perſonnes to whom anie reuerſion or remainder thereof, by force of any con-

Cest act extend a nul recov' fino fait p agreement; 2, & ne extend al recov' out [illegible] in 2 Inst: 362: a.

conueiance or deuiſe before that time had or made, ſhall, ought, or lawfully may appertaine, & againſt their heires & ſucceſſours, be clerely & vtterly voide & of none effect; anie law or vſage heretofore had to the contrary thereof, in any wiſe notwithſtanding.

¶ Prouided alway, that this act nor any thing therein contained, ſhal not extẽd, or be preiudiciall to any perſon or perſons, that ſhal hereafter by good title, recouer any lãds tenementes, or hereditamentes, wythout fraud or couin, by reaſõ of any former right, or title, but that al & euery ſuch recouery, & recoueries, ſo to be had or proſecuted vppon former rights or titles, ſhal ſtand and bee in lyke force, ſtrẽgth & effect, as they were before the making of this act: any thing herein contained to the contrary in any wiſe notwithſtanding.

¶ Prouided alſo, that al & euery ſuch recouery & recoueries, to be had or proſecuted, of any lands, tenements, or hereditaments, as aforeſaid, by the aſſent & agreement of any perſon or perſons, to whom any reuerſiõ or remainder thereof then ſhal or ought to appertaine (ſo ye the ſame aſſent & agreement doe appeare of record in any court of our ſoueraigne Lady the Queenes Maieſtye, her heires or ſucceſſors) ſhal ſtande & be in like force ſtrength, & of like effect, againſt ſuch pſon & perſõs that ſhal ſo aſſent & agre, their heires and ſucceſſours, as they were before the making of this acte, any thinge herein contained

ce appear de record doit estre vouchee, resceit, aide prier ou &c. et nemy ceo que est enrol en entre ou memorandum: Inst: 361

contained to the contrary, in any wiſe not‑withſtanding.

¶ Be it further enacted by the authoritie aforeſaid, that one act made in the xxxii. yere of our late ſoueraigne Lorde kinge Henry the eight, entituled. An act for the auoiding of recoueries by colluſions by tenauntes for terme of life. § An. 32. H. 8. cap. 31. ſhall bee from the firſt day of July next enſuing repealed: and ſhal no longer ſtand in force.

¶ Iurours.

¶ An Acte declaring that the tenant & defendant may haue a tales de circumſtantibus, as well as the demaundant or pleintife 14. Eliz. cap. 9. Iurours 20.

For the auoidinge of great & chargeable delayes oftentymes happening vnto tenaunts and defendaunts: Be it enacted that in al caſes whereas the partie plaintife or demādant by any ſtatute heretofore made may haue vpō his or their requeſt made vnto the Juſtices of Niſi prius, within thys Realme of Englande, or to the Juſtices of Oier, or of aſſiſes, of ỳ xii. ſhires of Wales, & the countie palātines of Lācaſter, Cheſter, & Durham, a tales de circumſtantibus, that in al and euery ſuch caſe & caſes, the party & parties, tenaunts, actours, auowants, & defendants (if the plaintifes or demaundants ſhal vpon the calling of the principal panell

or

oꝛ Jury foꝛbeare oꝛ refuſe to pꝛay the ſame) ſhal & may vppon his oꝛ their requeſt oꝛ deſire, haue vpon the ſame recoꝛde, & by ẏ ſame Juſtices, the tales oꝛ taleſſes vnto thē grāted, in lik, maner, fourme, & degree, to al reſpectes & purpoſes, as the plaintife oꝛ demādant in any ſuit oꝛ action may haue the ſame by any ſtatute, oꝛ oꝛdinance heretofoꝛe made oꝛ ſett foꝛth, and the rather foꝛ the ſpeedy triall of the iſſue and iſſues ioyned, oꝛ hereafter to be ioyned in any plee, ſuit oꝛ action: any lawe, cuſtome, oꝛ vſage heretofoꝛe vſed to the cōtrary thereof in any wiſe notwithſtanding.

¶ Pꝛouided alſo, & be it further enacted by the aucthoꝛitie afoꝛeſaid, that al populer actions, infoꝛmations, billes, oꝛ ſuites, cōmenced oꝛ had, oꝛ hereafter to be commenced oꝛ had in any the Queenes Maieſties courtes of recoꝛde, vpon any penal lawes oꝛ ſtatuts wherein any perſon doth, oꝛ ſhal ſue, oꝛ pꝛoſecute, oꝛ infourme, as wel foꝛ the Queenes Maieſtie, her heires, and ſucceſſours: as foꝛ him ſelfe, whereupon iſſue is oꝛ ſhalbee ioyned to be tryed by the countrey, that therein the partie defendaunt oꝛ defendauntes ſhalbee admitted to pꝛay and haue a tales de circumſtantibus, as in other caſes afoꝛeſaid.

§ See touching Jurours de circumſtantibus 35. H. 8. cap. 6. Jurours 17. made perpetuall 2. Ed. 6. cap. 32. et 4. & 5. P. & M. cap. 7. Jurours 18. et 5. Eliz. cap. 25. Jurours 19.

¶ An

¶ An Acte against couenous and Fradulent conueiances 27. Elizabeth Cap. 4.

FOr remedye of which inconueniences, and for the auoiding of fradulent, fayned, & couenous conueiaunces, giftes, graunts, charges, vſes and eſtates, and for the maintenaunce of vpright and iuſt dealing in the purchaſing of lands, tenements & hereditaments: Be it ordeined & enacted by the auchoritie of this preſent parliament, ye al & euery conueiance, graunt, charge, leaſe, eſtate, incumbrance and limitation of vſe or vſes, of, in, or out of any lands, tenementes, or other hereditaments whatſoeuer, had or made any time heretofore ſithens the beginning of the Queenes maieſties raigne that now is, or at any time hereafter to be had or made, for the intent & of purpoſe to defraud and deceaue ſuch perſon or perſons, bodies politike or corporate, as haue purchaſed, or ſhal afterwardes purchaſe in fee ſimple, fee taile, for life, liues or yeres, the ſame lāds, tenements & hereditaments, or any part or parcel thereof, ſo formerly conueied, graunted, leaſed, charged, incumbred or limitted in vſe, or to defraude & deceiue ſuch as haue, or ſhal purchaſe any rent, profite or commoditie, in, or out of the ſame: or any part thereof ſhalbe deemed & taken onely as againſt that perſon & perſōs, bodies politike & corporate

his

his and their heires, ſucceſſors, executors, adminiſtrators & aſſignes, & againſt all and euery other perſon & perſons lawfully hauing or claiming, by, from or vnder them, or any of them which haue purchaſed, or ſhall hereafter ſo purchaſe for mony or other good conſideration the ſame lands, tenements, or hereditaments, or any part or parcel thereof or any rent, profite or cōmoditie, in, or out of the ſame: to bee vtterly voide, fruſtrate and of none effect, any pretence, colour, fained cōſideration or expreſſing of any vſe or vſes, to the contrary notwithſtanding.

And bee it further enacted by the authoritie aforeſaid, that al and euery the parties to ſuch fained, couenous and fradulent giftes, grauntes, leaſes, charges, or conueiances before expreſſed, or being priuy & knowing of the ſame, or any of them which after the xx. day of Aprill next comming, ſhall wittingly and willingly put in vre, auowe maintayne, iuſtifie or defende the ſame, or any of them, as true, ſimple, and done, had, or made bona fide, or vpon good conſideration to the diſturbance or hinderaunce of the ſaide purchaſer or purchaſers, leaſſees, or grauntees, or, of, or to the diſturbaunce or hinderance of their heires, ſucceſſors, executors, adminiſtrators, or aſſignes, or ſuch as haue, or ſhall lawfully claime any thing, by, from or vnder them, or any of them: ſhall incurre the penaltie & forfaiture of one yeres value of the ſaid lands, tenements, and heredi-

hereditamēts ſo purchaſed or charged. The one moitie whereof to bee to the Queenes Maieſtie, her heires and ſucceſſors, and the other moitie to the partie or parties grieued by ſuch fayned and fradulent gift, graunt, leaſe, conueyance, incumbraunce, or limitation of vſe, to bee recouered in any of the Queenes courtes of Recorde, by action of debt, bill, plaint, or information, wherein no eſſoyne, protection or wager of law, ſhal be admitted for the defendāt or defendants: and alſo being thereof lawfully conuicted, ſhall ſuffer impriſonment for one halfe yere without baile or mainpriſe.

Prouided alſo and be it enacted by the authoritie aforeſaid, that this acte or any thing therein contained, ſhall not extend or be conſtrued to impeach, defeate, make void, or fruſtrate any conueyaunce, aſſygnement of leaſe, aſſuraunce, graunt, charge, leaſe, eſtate, intereſt or limitation of vſe or vſes, of, in, to, or out of, any landes, tenements or hereditaments heretofore at any tyme had or made, or hereafter to be had or made, vppon or for good conſideration and bona fide, to any perſon or perſons, bodies politique or corporate, any thing before mencioned, to the contrary hereof notwithſtanding.

¶ And be it further enacted by the authoritie aforeſaid, that if any perſon or perſōs, haue heretofore ſithens the beginning of ẏ Queenes Maieſties raigne that nowe is, made, or hereafter ſhal make, any conueiāce, gift,

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